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APOLOGY

FOR THE

FREEDOM OF THE PRESS,

AND FOR

General Liberty.

TO WHICH ARE PREFIXED

REMARKS ON

BISHOP HORSLEY'S SERMON,

*Preached on the Thirtieth of January, 1793.*

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BY ROBERT HALL, A. M.

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Shall Truth be silent, because Folly frowns?      YOUNG.

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THE FOURTH EDITION.

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HUDDERSFIELD:

*Printed at the Office of William Moore, West-gate*

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1819.

THE HISTORY OF THE

REIGN OF

The text on this page is extremely faint and illegible. It appears to be a historical document, possibly a chronicle or a record of events, but the specific details cannot be discerned due to the low contrast and blurriness of the image. The text is organized into several paragraphs, with some lines appearing to be headings or sub-sections, but they are not readable.

# ADVERTISEMENT

TO THE  
THIRD EDITION.

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SINCE this pamphlet was first published, the principles it aims to support have received confirmation from such a train of disastrous events, that it might have been hoped we should have learned those lessons from misfortunes, which reason had failed to impress. Uninstructed by our calamities, we still persist in an impious attack on the liberties of France, and are eager to take our part in the great drama of crimes which is acting on the continent of Europe. Meantime the violence and injustice of the internal administration keeps pace with our iniquities abroad. Liberty and truth are silenced. An unrelenting system of prosecution prevails. The cruel and humiliating sentence passed upon Mr. Muir and Mr. Palmer, men of unblemished morals and of the purest patriotism, the outrages committed on Dr. Priestley, and his intended removal to America, are events which will mark the latter end of the eighteenth century with indelible reproach. But what has liberty to expect from a minister, who has the audacity to assert the King's right to land as many foreign troops as he pleases, without the previous consent of Parliament! If this doctrine be true, the boasted equilibrium of the constitution, all the barriers which the wisdom of our ancestors have opposed to the encroachments of arbitrary power, are idle, ineffectual precautions. For we have only to suppose for a moment, an inclination in the royal breast to overturn our liberties, and of what avail is the nicest internal arrangement against a foreign force. Our constitution, on this principle, is the absurdest system that was ever conceived; pretending liberty for its object, yet providing no security against the great antagonist and

destroyer of liberty, the employment of military power by the chief magistrate. Let a foreign army be introduced into this or any other country, and quartered upon the subject without his consent, and what is there wanting, if such were the design of the prince, to complete the subjection of that country? Will armed foreigners be overawed by written laws or unwritten customs, by the legal limitations of power, the paper lines of demarcation? But Mr. Pitt contends, that though the sovereign may land foreign troops at his pleasure, he cannot subsist them without the aid of Parliament. He may overrun his dominions with a mercenary army it seems, but after he has subdued his subjects, he is compelled to them for supplies. What a happy contrivance! Unfortunately, however, it is found that princes with the unlimited command of armies, have hit upon a nearer and more efficacious method of raising supplies than by an act of Parliament. But it is needless any farther to expose the effrontery, or detect the sophistry, of this shameless apostate. The character of Pitt is written in sun beams. A veteran in frauds while in the bloom of youth, betraying first, and then persecuting his earliest friends and connexions, falsifying every promise, and violating every political engagement, ever making the fairest professions a prelude to the darkest actions, punishing with the utmost rigour the publisher of the identical paper he himself had circulated\*, are traits in the conduct of Pitt, which entitle him to a fatal preeminence in guilt. The qualities of this man balance in an extraordinary manner, and sustain each other: the influence of his station, the extent of his enormities invests with a kind of splendour, and the contempt we feel for his meanness and duplicity, is lost in the dread of his machinations, and the abhorrence of his crimes. Too long has he insulted the patience of his countrymen; nor ought we when we observe the in-

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\* Mr. HOLT, a printer, at Newark, is now imprisoned in Newgate for two years, for reprinting verbatim, An Address to the People on Reform, which was sanctioned for certain, and probably written by the Duke of RICHMOND and Mr. PITT.



difference with which the iniquities of Pitt's administration are viewed, to reproach the Romans for tamely submitting to the tyranny of Caligula or Domitian.

We had fondly hoped a mild philosophy was about to diffuse over the globe, the triumph of liberty and peace. But, alas! these hopes are fled. The Continent presents little but one wide picture of desolation, misery, and crimes: "on the earth distress of nations and perplexity, men's hearts failing them for fear, and for looking after those things which are coming on the earth."

That the seeds of public convulsions are sown in every country of Europe (our own not excepted) it were vain to deny, seeds which without the wisest precautions, and the most conciliating counsels, will break out, it is to be feared, in the overthrow of all governments. How this catastrophe may be averted, or how, should that be impossible, its evils may be mitigated and diminished, demands the deepest consideration of every European statesman. The ordinary routine of ministerial chicanery is quite unequal to the task. A philosophic comprehension of mind, which, leaving the beaten road of politics, will adapt itself to new situations, and profit by the vicissitudes of opinion, equally removed from an attachment to antiquated forms, and useless innovations, capable of rising above the emergency of the moment, to the most remote consequences of a transaction; combining the past, the present, and the future, and knowing how to defend with firmness, or concede with dignity; these are the qualities which the situation of Europe renders indispensable. It would be a mockery of our present ministry to ask whether *they* possess those qualities.

With respect to the following apology for the freedom of the press, the author begs leave to claim the reader's indulgence to its numerous imperfections, and hopes he will recollect, as an excuse for the warmth of his expressions, it is an eulogium on a *dead friend*.

## PREFACE.

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THE accidental detention of the following pamphlet in the press longer than was expected, gave me an opportunity before it was published, of seeing Bishop Horsley's Sermon, preached before the House of Lords, on the 30th of January; and as its contents are relevant to my subject, a few remarks upon it may not be ill-timed or improper.—His Lordship sets out with a severe censure of that “freedom of dispute,” on matters of “such high importance as the origin of government, and the authority of sovereigns,” in which he laments, it has been the “folly of this country for several years past,” to indulge. If his Lordship has not inquired into those subjects himself, he can with little propriety pretend to decide in so imperious and peremptory a manner; unless it be a privilege of his office to dogmatise without examination, or he has discovered some nearer road to truth than that of reasoning and argument.—It seems a favourite point with a certain description of men, to stop the progress of inquiry, and throw mankind back into the darkness of the middle ages, from a persuasion, that ignorance will augment their power, as objects look largest in a mist. There is in reality no other foundation for that alarm, which the Bishop expresses. Whatever is not comprehended under revelation, falls under the inspection of reason; and since from the whole course of providence, it is evident, all political events, and all the revolutions of government, are effected by the instrumentality of men, there is no room for supposing them too sacred to be submitted to the human faculties. The more minds there are employed in tracing their principles and effects, the greater probability will there be of the science of civil policy, as well as every other, attaining to perfection.

Bishop Horsley, determined to preserve the character of an original, presents us with a new set of political principles, and endeavours to place the exploded doctrine of passive obedience and non-resistance upon a new foundation. By a curious distinction between the *ground* of authority and obedience, he rests the former on human compact, the latter on divine obligation. "It is easy to understand," he says, "that the principle of the private citizen's submission, must be quite a distinct thing from the principle of the sovereign's public title. And for this plain reason: The principle of submission to bind the conscience of every individual, must be something universally known." He then proceeds to inform us, that the kingly title in England is founded on the act of settlement; but that as thousands and tens of thousands of the people have never heard of that act, the principle which compels their allegiance, must be something distinct from it, with which they may all be acquainted. In this reasoning, he evidently confounds the obligation of an *individual* to submit to the existing authority, with that of the community collectively considered. For *any particular number* of persons to set themselves by force to oppose the established practice of a state, is a plain violation of the laws of morality, as it would be productive of the utmost disorder; and no government could stand, were it permitted to individuals, to counteract the general will, of which in ordinary cases, legal usages are the interpreter. In the worst state of political society, if a people have not sufficient wisdom or courage to correct its evils and assert their liberty, the attempt of individuals to *force* improvements upon them, is a presumption which merits the severest punishment.—Social order would be inevitably dissolved, if any man declined a practical acquiescence in every political regulation which he did not personally approve. The duty of submission is, in this light, founded on principles which hold under every government, and are plain and obvious. But the principle which attaches a people to their allegiance, collectively considered, must exactly coincide with the

title to authority; as must be evident from the very meaning of the term authority, which as distinguished from force, signifies a right to demand obedience. Authority and obedience are correlative terms, and consequently in all respects correspond, and are commensurate with each other.

“The divine right,” his Lordship says, “of the first magistrate in every polity to the citizen’s obedience, is not of that sort which it were high treason to claim for the sovereign of this country. It is a right which in no country can be denied, without the highest of all treasons. The denial of it were treason against the paramount authority of God.” To invest any human power with these high epithets, is ridiculous at least, if not impious. The right of a prince to the obedience of his subjects, where ever it exists, may be called divine, because we know the divine Being is the patron of justice and order; but in that sense, the authority of a petty constable is equally divine; nor can the term be applied with any greater propriety to supreme than to subordinate magistrates. As to “submission being among the general rules which proceed from the will of God, and have been impressed upon the conscience of every man by the original constitution of the world,” nothing more is comprehended under this pomp of words, than that submission is, for the most part, a duty—a sublime and interesting discovery! The minds of princes are seldom of the firmest texture; and they who fill their heads with the magnificent chimera of divine right, prepare a vietim, where they intend a God. Some species of government is essential to the well-being of mankind; submission to some species of government is consequently a duty; but what kind of government shall be appointed, and to what limits submission shall extend, are mere human questions, to be adjusted by mere human reason and contrivance.

As the natural consequence of divine right, his Lordship proceeds to inculcate the doctrine of passive obedience and non-resistance, in the most unqualified terms; assuming it as a principle to be acted upon, under governments

the most oppressive, in which he endeavours to shelter himself under the authority of Paul. The apostolic exhortation, as addressed to a few individuals, and adapted to the local circumstances of christians at that period, admits an easy solution; but to imagine it prescribes the duty of the Roman empire, and is intended to subject millions, to the capricious tyranny of one man, is a reflection as well on the character of Paul, as on Christianity itself.

On principles of reason, the only way to determine the agreement of any thing with the will of God, is to consider its influence on the happiness of society; so that in this view, the question of passive obedience is reduced to a simple issue: Is it best for the human race that every tyrant and usurper be submitted to without check or controul? It ought likewise to be remembered that if the doctrine of passive obedience be true, princes should be taught it, and instructed, that to whatever excesses of cruelty and caprice they proceed, they may expect no resistance on the part of the people. If this maxim appear to be conducive to general good, we may fairly presume it concurs with the will of the Deity; but if it appear pregnant with the most mischievous consequences, it must disclaim such support. From the known perfections of God, we conclude he wills the happiness of mankind; and though he condescends not to interpose miraculously, that that kind of civil polity is most pleasing in his eye, which is productive of the greatest felicity.

On a comparison of free with arbitrary governments, we perceive the former are distinguished from the latter, by imparting a much greater share of happiness to those who live under them; and this in a manner too uniform to be imputed to chance or secret causes. He who wills the end must will the means which ascertain it. His Lordship endeavours to diminish the dread of despotic government, by observing, that in its worst state, it is attended with more good than ill, and that the "end of government under all its abuses is generally answered by it." Admitting this to be true, it is at best but a consolation proper to be applied

where there is no remedy, and affords no reason why we should not mitigate political as well as other evils, when it lies in our power. We endeavour to correct the diseases of the eye, or of any other organ, though the malady be not such as renders it useless.

The doctrine of passive obedience is so repugnant to the genuine feelings of human nature, that it can never be completely acted on: a secret dread that popular vengeance will awake, and nature assert her rights, imposes a restraint, which the most determined despotism is not able to shake off. The rude reason of the multitude may be perplexed, but the sentiments of the heart are not easily perverted.

In adjusting the different parts of his theory, the learned Bishop appears a good deal embarrassed. "It will be readily admitted," he says, (p. 9.) "that of all sovereigns, none reign by so fair and just a title, as those who derive their claim, from some such public act (as the act of settlement) of the nation which they govern." That there are different degrees in *justice*, and even in *divine right*, (which his Lordship declares all sovereigns possess) is a very singular idea. Common minds would be ready to imagine, however various the modes of *injustice* may be, *justice* were a thing absolute and invariable, nor would they conceive, how "a divine right, a right the denial of which is high treason against the authority of God," can be increased by the act of a nation. But this is not all. It is no just inference (he tells us) that the obligation upon the private citizen to submit himself to the authority thus raised, arises wholly from the act of the people conferring it, or from their compact with the person on whom it is conferred. But if the sovereign derives his claim from this act of the nation, how comes it that the obligation of the people to submit to his claim, does not spring from the same act? Because "in all these causes," he affirms "the act of the people is only the means which Providence employs to advance the new sovereign to his station." In the hand of the Supreme Being, the whole agency of men

may be considered as an *instrument*; but to make it appear that the right of dominion, is independent of the people; men must be shown to be instruments in political affairs, in a more absolute sense than ordinary. A divine interposition of a more immediate kind, must be shown, or the mere consideration of God's being the original source of all power, will be a weak reason for absolute submission. Anarchy may have *power* as well as despotism, and is equally a link in the great chain of causes and effects.

It is not a little extraordinary, that Bishop Horsley, the apologist of tyranny, the patron of passive obedience, should affect to admire the British constitution, whose freedom was attained by a palpable violation of the principles for which he contends. He will not say the Barons at Runnymede, acted on his maxims, in extorting the magna charta from King John, or in demanding its confirmation from Henry the Third. If he approve of their conduct, he gives up his cause, and is compelled at least to confess the principles of passive obedience were not true at that time; if he disapprove of their conduct, he must, to be consistent, reprobate the restraints which it imposed on kingly power. The limitations of monarchy, which his Lordship pretends to applaud, were effected by resistance; the freedom of the British constitution flowed from a departure from passive obedience, and was therefore stained with high treason "against the authority of God." To these conclusions he must inevitably come, unless he can point out something peculiar to the spot of Runnymede, or to the reign of King John, which confines the exception of the general doctrine of submission, to that particular time and place. With whatever colours the advocates of passive obedience may varnish their theories, they must of necessity be enemies to the British constitution. Its spirit they detest; its corruptions they cherish; and if at present they affect a zeal for its preservation, it is only because they despair of any form of government being ever erected in its stead, which will give equal per-

manence to its abuses. Afraid to destroy it at once, they take a malignant pleasure in seeing it waste by degrees under the pressure of internal malady.

Whatever bears the semblance of *reasoning* in Bishop Horsley's discourse, will be found, I trust, to have received a satisfactory answer; but to animadvert with a becoming severity on the temper it displays, is a less easy task. To render him the justice he deserves in that respect, would demand all the fierceness of his character.

We owe him an acknowledgment for the frankness with which he avows his decided preference of the clergy of France to the dissenters in England;—a sentiment we have often suspected, but have seldom had the satisfaction of seeing openly professed before.

“None,” he asserts, “at this season, are more entitled to our offices of love, than those with whom the difference is wide in points of doctrine, discipline, and external rites; those venerable exiles the prelates and clergy of the fallen church of France.” Far be it from me to intercept the compassion of the humane from the unhappy of any nation, tongue, or people; but the extreme tenderness he professes for the fallen church of France, is well contrasted by his malignity towards dissenters. Bishop Horsley is a man of sense; and though doctrine, discipline, and external rites, comprehend the whole of Christianity; his tender, sympathetic heart is superior to prejudice, and never fails to recognize, in a persecutor, a friend and a brother—Admirable consistence in a Protestant Bishop, to lament over the fall of that antichrist whose overthrow is represented by unerring inspiration, as an event the most splendid and happy! It is a shrewd presumption against the utility of religious establishments that they too often become seats of intolerance, instigators to persecution, nurseries of Bonners and of Horsleys.

His Lordship closes his invective against dissenters, and Dr. Priestley in particular, by presenting a prayer in the spirit of an indictment. We are happy to hear of his Lordship's prayers, and are obliged to him for remember-



ing us in them ; but should be more sanguine in our expectation of benefit, if we were not informed, the prayers of the *righteous* only avail much. "Miserable men," he tells us, we "are in the gall of bitterness, and in the bond of iniquity." With respect to the first, we have plenty of that article, since he has distilled his own ; and if the bonds of iniquity are not added, it is only because they are not within the reach of his mighty malice.

When we reflect on the qualities which distinguish this prelate, that venom that hisses, and that meanness that creeps, the malice that attends him to the sanctuary, and pollutes the altar, we feel a similar perplexity with that which springs from the origin of evil. But if we recollect on the other hand, that instruction may be conveyed by negatives, and that the union in one character of nearly all the dispositions human nature, *ought not to possess*, may be a useful warning, at least, we shall cease to wonder at the existence and elevation of Dr. Horsley. Characters of his stamp, like a plague or a tempest, may have their uses in the general system, if they recur not too often.

It is time to turn from this disgusting picture of sanctimonious hypocrisy and priestly insolence, to address a word to the reader on the following pamphlet. The political sentiments of Dr. Horsley are in truth of too little consequence in themselves, to engage a moments curiosity, and deserve attention only as they indicate the spirit of the times. The freedom with which I have pointed out the abuses of government, will be little relished by the pusillanimous and the interested, but is, I am certain, of that nature, which it is the duty of the people of England never to relinquish, or suffer to be impaired by any human force or contrivance. In the present crisis of things, the danger to liberty is extreme, and it is requisite to address a warning voice to the nation, that may disturb its slumbers, if it cannot heal its lethargy. When we look at the distraction and misery of a neighbouring country, we behold a scene that is enough to make the most hardy republican tremble at the idea of a revolution. Nothing but an

obstinate adherence to abuses, can ever push the people of England to that fatal extremity. But if the state of things continues to grow worse and worse, if the friends of reform, the true friends of their country, continue to be overwhelmed by calumny and persecution, the confusion will probably be dreadful, the misery extreme, and the calamities that await us too great for human calculation.

What must be the guilt of those men, who can calmly contemplate the approach of anarchy or despotism, and rather choose to behold the ruin of their country, than resign the smallest pittance of private emolument and advantage. To reconcile the disaffected, to remove discontents, to allay animosities, and open a prospect of increasing happiness and freedom, is yet in our power. But if a contrary course be taken, the sun of Great Britain is set for ever, her glory departed, and her history added to the catalogue of the mighty empires which exhibit the instability of all human grandeur, of empires which after they rose by virtue to be the admiration of the world sunk by corruption into obscurity and contempt. If any thing shall then remain of her boasted constitution, it will display magnificence in disorder, majestic desolation, Babylon in ruins, where, in the midst of broken arches and fallen columns, posterity will trace the *monuments* only of our ancient freedom!

# APOLOGY, &c.

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## SECTION I.

### ON THE RIGHT OF PUBLIC DISCUSSION.

SOLON, the celebrated legislator of Athens, we are told, enacted a law for the capital punishment of every citizen who should continue neuter when parties ran high in that republic. He considered, it should seem, the declining to take a decided part on great and critical occasions, an indication of such a culpable indifference to the interests of the commonwealth, as could be expiated only by death. While we blame the rigour of this law, we must confess the principle, on which it was founded, is just and solid. In a political contest, relating to particular men or measures, a well-wisher to his country may be permitted to remain silent; but when the great interests of a nation are at stake, it becomes every man to act with firmness and vigour. I consider the present as a season of this nature, and shall therefore make no apology for laying before the public, the reflections it has suggested.

The most capital advantage an enlightened people can enjoy is the liberty of discussing every subject which can fall within the compass of the human mind; while this remains, freedom will flourish; but should it be lost or impaired, its principles will neither be well understood or long retained. To render the magistrate a judge of truth, and engage his authority in the suppression of opinions, shows an inattention to the nature and design of political society. When a nation forms a government, it is not wisdom but *power* which they place in the hands of the magistrate; from whence it follows, his concern is only with those objects which *power* can operate upon. On this account the administration of Justice, the protection of property, and the defence of every member of the community from violence and outrage, fall naturally within the province of the civil ruler, for these may all be accomplished by *power*; but an attempt to distinguish truth from error, and to countenance one

set of opinions to the prejudice of another, is to apply power in a manner mischievous and absurd. To comprehend the reasons on which the right of public discussion is founded, it is requisite to remark the difference between *sentiment* and *conduct*. The *behaviour* of men in society will be influenced by motives drawn from the prospect of good and evil; here then is the proper department of government, as it is capable of applying that good and evil by which actions are determined. Truth, on the contrary, is quite of a different nature, being supported only by *evidence*, and, as when this is presented, we cannot withhold our assent, so where this is wanting, no power or authority can command it.

However some may affect to dread controversy, it can never be of ultimate disadvantage to the interests of truth, or the happiness of mankind. Where it is indulged in its full extent, a multitude of ridiculous opinions will, no doubt, be obtruded upon the public; but any ill influence they may produce cannot continue long, as they are sure to be opposed with at least equal ability, and that superior advantage which is ever attendant on truth. The colours with which wit or eloquence may have adorned a false system will gradually die away, sophistry be detected, and every thing estimated at length according to its true value. Publications besides, like every thing else that is human, are of a mixed nature, where truth is often blended with falsehood, and important hints suggested in the midst of much impertinent or pernicious matter; nor is there any way of separating the precious from the vile but tolerating the the whole. Where the right of unlimited inquiry is exerted, the human faculties will be upon the advance; where it is relinquished, they will be of necessity at a stand, and will probably decline.

If we have recourse to experience, that kind of enlarged experience in particular which history furnishes, we shall not be apt to entertain any violent alarm at the greatest liberty of discussion: we shall there see that to this we are indebted for those improvements in arts and sciences, which have meliorated in so great a degree the condition of mankind. The middle ages, as they are called, the darkest period of which we have any particular accounts, were remarkable for two things; the extreme ignorance that prevailed, and an excessive veneration for received opinions; circumstances, which, having been always united, operate on each other, it is plain, as cause and effect. The whole compass of science was in those times subject to restraint; every new opinion was looked upon as dangerous. To affirm the globe we inhabit to be round, was deemed heresy, and for asserting its motion, the immortal Galileo was confined in the prisons of the inquisition. Yet, it is remarkable,

so little are the human faculties fitted for restraint, that its utmost rigour was never able to effect a thorough unanimity, or to preclude the most alarming discussions and controversies. For no sooner was one point settled than another was started, and as the articles on which men professed to differ were always extremely few and subtle, they came the more easily into contact, and their animosities were the more violent and concentrated. The shape of the tonsure, or manner in which a monk should shave his head, would then throw a whole kingdom into convulsions. In proportion as the world has become more enlightened, this unnatural policy of restraint has retired, the sciences it has entirely abandoned, and has taken its last stand on religion and politics. The first of these was long considered of a nature so peculiarly sacred, that every attempt to alter it, or to impair the reverence for its received institutions, was regarded under the name of heresy as a crime of the first magnitude. Yet, dangerous as free inquiry may have been looked upon, when extended to the principles of religion, there is no department where it was more necessary, or its interference more decidedly beneficial. By nobly daring to exert it when all the powers on earth were combined in its suppression, did Luther accomplish that Reformation which drew forth primitive christianity, long hidden and concealed under a load of abuses, to the view of an awakened and astonished world. So great is the force of truth when it has once gained the attention, that all the arts and policy of the court of Rome, aided throughout every part of Europe, by a veneration for antiquity, the prejudices of the vulgar, and the cruelty of despots, were fairly baffled and confounded by the opposition of a solitary monk. And had this principle of free inquiry been permitted in succeeding times to have full scope, christianity would at this period have been much better understood, and the animosity of sects considerably abated. Religious toleration has never been complete even in England; but having prevailed more here than perhaps in any other country, there is no place where the doctrines of religion have been set in so clear a light, or its truth so ably defended. The writings of deists have contributed much to this end. Whoever will compare the late defences of christianity by Locke, Butler, or Clark, with those of the ancient apologists, will discern in the former far more precision and an abler method of reasoning than in the latter, which must be attributed chiefly to the superior spirit of inquiry by which modern times are distinguished. Whatever alarm then may have been taken at the liberty of discussion, religion it is plain hath been a gainer by it; its abuses corrected, and its divine authority settled on a firmer basis than ever.

Though I have taken the liberty of making these preliminary remarks on the influence of free inquiry in general, what I have more immediately in view is, to defend its exercise in relation to government. This being an institution purely human, one would imagine it were the proper province for freedom of discussion in its utmost extent. It is surely just that every one should have a right to examine those measures by which the happiness of all may be affected. The control of the public mind over the conduct of ministers exerted through the medium of the press, has been regarded by the best writers both in our country and on the continent, as the main support of our liberties. While this remains we cannot be enslaved; when it is impaired or diminished, we shall soon cease to be free.

Under pretence of its being seditious to express any disapprobation of the *form* of our government, the most alarming attempts are made to wrest the liberty of the press out of our hands. It is far from being my intention to set up a defence of republican principles, as I am persuaded whatever imperfections may attend the British constitution, it is competent to all the ends of government, and the best adapted of any to the *actual* situation of this kingdom. Yet I am convinced there is no crime in being a republican, and that while he obeys the laws, every man has a right to entertain what sentiments he pleases on our form of government, and to discuss this with the same freedom as any other topic. In proof of this, I shall beg the reader's attention to the following arguments.

1. We may apply to this point in particular, the observation that has been made on the influence of free inquiry in general, that it will issue in the firmer establishment of truth, and the overthrow of error. Every thing that is really excellent will bear examination, it will even invite it, and the more narrowly it is surveyed, to the more advantage will it appear. Is our constitution a good one, it will gain in our esteem by the severest inquiry. Is it bad, then its imperfections should be laid open and exposed. Is it, as is generally confessed, of a mixed nature excellent in theory, but defective in its practice; freedom of discussion will be still requisite to point out the nature and source of its corruptions and apply suitable remedies. If our constitution be that perfect model of excellence it is represented, it may boldly appeal to the *reason* of an enlightened age, and need not rest on the support of an implicit faith.

2. Government is the creature of the people, and that which they have created they surely have a right to examine. The great Author of Nature having placed the right of dominion in no particular hands,

hath left every point relating to it to be settled by the consent and approbation of mankind. In spite of the attempts of sophistry to conceal the origin of political right, it must inevitably rest at length on the acquiescence of the people. In the case of individuals it is extremely plain. If one man should overwhelm another with superior force, and after completely subduing him under the name of government, transmit him in this condition to his heirs, every one would exclaim against such a piece of injustice. But whether the object of his oppression be one, or a million, can make no difference in its nature, the idea of equity having no relation to that of numbers. Mr. Burke, with some other authors, are aware that an original right of dominion can only be explained by resolving it into the will of the people, yet contend that it becomes inalienable and independent by length of time and prescription. This fatal mistake appears to me to have arisen from confounding the right of dominion with that of private property. Possession for a certain time, it is true, vests in the latter a complete right, or there would be no end to vexatious claims; not to mention that it is of no consequence to society where property lies, provided its regulations be clear, and its possession undisturbed. For the same reason it is of the essence of private property, to be held for the sole use of the owner, with liberty to employ it in what way he pleases, consistent with the safety of the community. But the right of dominion has none of the qualities that distinguish private possession. It is never indifferent to the community in whose hands it is lodged; nor is it intended in any degree for the benefit of those who conduct it. Being derived from the will of the people, explicit or implied, and existing solely for their use, it can no more become independent of that will, than water can arise above its source. But if we allow the people are the true origin of political power, it is absurd to require them to resign the right of discussing any question that can arise either upon its forms or its measures, as this would put it for ever out of their power to revoke the trust which they have placed in the hands of their rulers.

3. If it be a crime for a subject of Great Britain to express his disapprobation of that form of government under which he lives, the same conduct must be condemned in the inhabitant of any other country. Perhaps it will be said, a distinction ought to be made on account of the superior excellence of the British constitution. This superiority I am not disposed to contest; yet cannot allow it to be a proper reply, as it takes for granted that which is supposed to be matter of debate and inquiry. Let a government be ever so despotic, it is a chance if those

who share in the administration, are not loud in proclaiming its excellence. Go into Turkey, and the Pachas of the provinces will probably tell you, that the Turkish government is the most perfect in the world. If the excellency of a constitution then is assigned as the reason that none should be permitted to censure it, who, I ask, is to determine on this its excellence? If you reply every man's own reason will determine; you concede the very point I am endeavouring to establish, the liberty of free inquiry: if you reply, our rulers, you admit a principle that equally applies to every government in the world, and will lend no more support to the British constitution than to that of Turkey or Algiers.

4. An inquiry respecting the comparative excellence of civil constitutions can be forbidden on no other pretence, than that of its tending to sedition and anarchy. This plea, however, will have little weight with those who reflect, to how many ill purposes it has been already applied; and that when the example has been once introduced of suppressing opinions on account of their imagined ill tendency, it has seldom been confined within any safe or reasonable bounds. The doctrine of tendencies is extremely subtle and complicated. Whatever would diminish our veneration for the christian religion, or shake our belief in the being of a God, will be allowed to be of a very evil tendency; yet few, I imagine, who are acquainted with history, would wish to see the writings of sceptics or deists suppressed by law; being persuaded it would be lodging a very dangerous power in the hands of the magistrate, and the truth is best supported by its own evidence. This dread of certain opinions, on account of their tendency, has been the copious spring of all those religious wars and persecutions, which are the disgrace and calamity of modern times.

Whatever danger may result from the freedom of political debate in some countries, no apprehension from that quarter need be entertained in our own. Free inquiry will never endanger the existence of a good government; scarcely will it be able to work the overthrow of a bad one. So uncertain is the issue of all revolutions, so turbulent and bloody the scenes that too often usher them in, the prejudice on the side of an ancient establishment so great, and the interests involved in its support so powerful, that while it provides in any tolerable measure for the happiness of the people, it may defy all the efforts of its enemies.

The real danger to every free government is less from its enemies than from itself. Should it resist the most temperate reforms, and maintain its abuses with obstinacy, imputing complaint to faction, ca-



luminating its friends, and smiling only on its flatterers, should it encourage informers, and hold out rewards to treachery, turning every man into a spy, and every neighbourhood into the seat of an inquisition, let it not hope it can can long conceal its tyranny under the mask of freedom. These are the avenues through which despotism must enter; these are the arts at which integrity sickens and freedom turns pale.



## SECTION II.

### ON ASSOCIATIONS.

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THE associations that have been formed in various parts of the Kingdom, appear to me to have trodden very nearly in the steps I have been describing. Nothing could have justified this extraordinary mode of combination but the actual existence of those insurrections and plots, of which no traces have appeared, except in a speech from the throne. They merit a patent for insurrections, who have discovered the art of conducting them with so much silence and secrecy, that in the very places where they are affirmed to have happened, they have been heard of only by rebound from the cabinet. Happy had it been for the repose of unoffending multitudes, if the Associators had been able to put their mobs in possession of this important discovery before they set them in motion.

No sooner had the ministry spread an alarm through the kingdom against republicans and levellers, than an assembly of court-sycophants with a placeman at their head, entered into what they termed, an association at the Crown and Anchor Tavern, whence they issued accounts of their proceedings. This was the primitive, the metropolitan association, which, with few exceptions, gave the tone to the succeeding, who did little more than copy its language and its spirit. As the popular ferment has it may be hoped by this time in some measure subsided, it may not be improper to endeavour to estimate the utility, and develop the principles of these societies.

1. The first particular that engages the attention, is their *singular* and *unprecedented* nature. The object is altogether new. The political societies that have been hitherto formed, never thought of interfering with the operations of law, but were content with giving by their union, greater force and publicity, to their sentiments. The diffusion of principles was their object, not the suppression; and, confiding in the justness of their cause, they challenged their enemies into the field of controversy. These societies on the other hand are combined with an express view to extinguish opinions, and to overwhelm freedom of inquiry by the terrors of criminal prosecution. They pretend not to enlighten the people by the spread of political knowledge, or to confute the

errors of the system they wish to discountenance: they breathe only the language of menace: their element is indictment and prosecution, and their criminal justice formed on the model of Rhadamanthus the poetic judge of Hell.

*Castigatque, auditque, dolos subigitque fateri.*

2. They are not only new in their nature and complexion, but are unsupported by any just pretence of expedience, or necessity. The British constitution hath provided ample securities for its stability and permanence. The prerogatives of the crown in all matters touching its dignity are of a nature so high and weighty as may rather occasion alarm than need corroboration. The office of Attorney General is created for the very purpose of prosecuting sedition, and he has the peculiar privilege of filing a bill against offenders, in the King's name, without the intervention of a grand Jury. If the public tranquillity be threatened, the King can embody the militia as well as station the military in the suspected places; and when to this is added the immense patronage and influence which flows from the disposal of seventeen millions a year, it must be evident the stability of the British Government can never be shaken by the efforts of any minority whatever. It comprehends within itself all the resources of defence, which the best civil polity ought to possess. The permanence of every government must depend, however, after all, upon opinion, a general persuasion of its excellence, which can never be increased by its assuming a vindictive and sanguinary aspect. While it is the object of the people's approbation it will be continued, and to support it much beyond that period, by mere force and terror, would be impossible were it just, and unjust were it possible. The law hath amply provided against *overt acts* of sedition and disorder, and to suppress *mere opinions* by any other method than reasoning and argument is the height of tyranny. Freedom of thought being intimately connected with the happiness and dignity of man in every stage of his being, is of so much more importance than the preservation of any constitution, that to infringe the former under pretence of supporting the latter, is to sacrifice the means to the end.

3. In attempting to define the boundary which separates the liberty of the press from its licentiousness, these societies have undertaken a task which they are utterly unable to execute. The line that divides them is too nice and delicate to be perceived by every eye, or to be drawn by every rude and unskilful hand. When a public outrage against the laws is committed, the crime is felt in a moment; but to ascertain the qualities which compose a libel, and to apply with exactness the general

idea to every instance and example which may occur, demands an effort of thought and reflection, little likely to be exerted by the great mass of mankind. Bewildered in a pursuit which they are incapable of conducting with propriety, taught to suspect treason and sedition in every page they read, and in every conversation they hear, the necessary effect of such an employment must be to perplex the understanding, and degrade the heart. An admirable expedient for transforming a great and generous people into a contemptible tribe of spies and informers!

For private individuals to combine together at all with a view to quicken the vigour of criminal prosecution is suspicious at least, if not illegal; in a case where the liberty of the press is concerned, all such combinations are utterly improper. The faults and the excellencies of a book are often so blended, the motives of a writer so difficult to ascertain, and the mischiefs of servile restraint so alarming, that the criminality of a book should always be left to be determined by the particular circumstances of the case. As one would rather see many criminals escape, than the punishment of one innocent person, so it is infinitely better a multitude of errors should be propagated than one truth be suppressed.

If the suppression of Mr. Paine's pamphlet be the object of these societies they are ridiculous in the extreme; for the circulation of his works ceased from the moment they were declared a libel; if any other publication be intended, they are premature and impertinent, in presuming to anticipate the decision of the courts.

4. Admitting however the principle on which they are founded to be ever so just and proper, they are highly impolitic. All violence exerted towards opinions which falls short of *extermination*, serves no other purpose than to render them more known, and ultimately to increase the zeal and number of their abettors. Opinions that are false may be dissipated by the force of argument; when they are true, their punishment draws toward them infallibly more of the public attention, and enables them to dwell with more lasting weight and pressure on the mind. The progress of reason is aided in this case, by the passions, and finds in curiosity, compassion and resentment, powerful auxiliaries.

When public discontents are allowed to vent themselves in reasoning and discourse, they subside into a calm; but their confinement in the bosom is apt to give them a fierce and deadly tincture. The reason of this is obvious: as men are seldom disposed to complain till they at least imagine themselves injured, so there is no injury which they will remember so long or resent so deeply, as that of being threatened

into silence. This seems like adding triumph to oppression, and insult to injury. The apparent tranquillity which may ensue, is delusive and ominous; it is that awful stillness which nature feels, while she is awaiting the discharge of the gathered tempest.

The professed object of these associations is to strengthen the hands of government: but there is one way in which it may strengthen its own hands most effectually; recommended by a very venerable authority, though one from which it hath taken but few lessons, "He that bath *clean hands*, saith a sage adviser, shall grow stronger and stronger." If the government wishes to become more vigorous, let it first become more pure, lest an addition to its strength should only increase its capacity for mischief.

There is a characteristic feature attending these associations, which is sufficient to acquaint us with their real origin and spirit, that is the silence almost total, which they maintain respecting political abuses. Had they been intended as their title imports, merely to furnish an antidote to the spread of republican schemes and doctrines, they would have loudly asserted the necessity of reform, as a conciliatory principle, a centre of union, in which the virtuous of all descriptions might have concurred. But this, however conducive to the good of the people, would have defeated their whole project, which consisted in availing themselves of an alarm which they had artfully prepared, in order to withdraw the public attention from real grievances to imaginary dangers. The Hercules of reform had penetrated the augean stable of abuses; the fabric of corruption, hitherto deemed sacred, began to totter, and its upholders were apprehensive their iniquity was almost full. In this perplexity they embraced an occasion afforded them by the spread of certain bold speculations—(speculations which owed their success to the disorders of Government) to diffuse a panic, and to drown the justest complaints in unmeaning clamour. The plan of associating, thus commencing in corruption, and propagated by imitation and by fear, had for its *pretext* the fear of republicanism; for its *object* the perpetuity of abuses. Associations in this light may be considered as mirrors placed to advantage for reflecting the finesses and tricks of the ministry. At present they are playing into each others hands, and no doubt find great entertainment in deceiving the nation. But let them be aware lest it should be found, after all, none are so much duped as themselves. Wisdom and truth, the offspring of the sky, are immortal; but cunning and deception the meteors of the earth, after glittering for a moment must pass away.

The candour and sincerity of these associators is of a piece with their other virtues; for while they profess to be combined in order to prevent riots and insurrections, attempted to be raised by republicans and levelers, they can neither point out the persons to whom that description applies, nor mention a single riot that was not fomented by their principles and engaged on their side. There have been three riots in England of late on a political account, one at Birmingham, one at Manchester, and one at Cambridge; each of which has been levelled against dissenters and friends of reform\*.

The Crown and Anchor association, as it was first in order of time, seems also determined by pushing to a greater length the maxims of arbitrary power, to maintain its pre-eminence in every other respect. The divine right of monarchy, the sacred anointing of kings, passive obedience and non-resistance, are the hemlock and night-shade which these physicians have prescribed for the health of the nation; and are yet but a specimen of a more fertile crop which they have promised out of the hot-bed of their depravity. The opinions which they have associated to suppress, are contained, they tell us, in the terms liberty and equality; after which they proceed to a dull harangue on the mischiefs that must flow from equalizing property. All mankind, they gravely tell us, are not equal in virtue, as if that were not sufficiently evident from the existence of their society. The notion of equality in property was never seriously cherished in the mind of any man, unless for the purpose of calumny: and the *term* transplanted from a neighbouring country, never intended *there* any thing more than *equality of rights*—as opposed to feudal oppression and hereditary distinctions. An equality of rights may consist with the greatest inequality between the thing, to which those rights extend. It belongs to the very nature of *property*, for the owner to have a full and complete right to that which he possesses, and consequently for all properties to have *equal*

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\* The conduct of an honourable member of the House of Commons, respecting the last of these was extremely illiberal. He informed the house, that the riot at Cambridge was nothing more than that the mob compelled Mr. Musgrave one of his constituents, who had been heard to speak seditious words, to sing God save the King—a statement in which he was utterly mistaken. Mr. Musgrave, with whom I have the pleasure of being well acquainted, was neither guilty of uttering seditious discourse, nor did he, I am certain, comply with the requisition. His whole crime consists in the love of his country and a zeal for parliamentary reform. It would be happy for this nation, if a portion only, of the integrity and disinterested virtue which adorn his character, could be infused into our great men.

rights; but who is so ridiculous as to infer from thence, that the *possessions* themselves are equal. A more alarming idea cannot be spread among the people, than that there is a large party ready to abet them in any enterprise of depredation and plunder. As all men do not know that the element of the associators is calumny, they are really in danger for a while of being believed, and must thank themselves if they should realize the plan of equality their own malice has invented.

I am happy to find that Mr. Law, a very respectable gentleman, who had joined the Crown and Anchor society, has publicly withdrawn his name, disgusted with their conduct; by whom we are informed they receive anonymous letters, vilifying the characters of persons of the first eminence, and that they are in avowed alliance with the ministry for prosecutions, whom they intreat to order the *Solicitor-General* to *proceed on their suggestions*. When such a society declares "*itself to be unconnected with any political party*," our respect for human nature impels us to believe it, and to hope their appearance may be considered as an era in the annals of corruption, which will transmit their names to posterity with the encomiums they deserve. With sycophants so base and venal, no argument or remonstrance can be expected to have any success. It is in vain to apply to reason when it is perverted and abused, to shame when it is extinguished, to a conscience which has ceased to admonish: I shall therefore leave them in the undisturbed possession of that true philosophical indifference which steels them against the reproaches of their own hearts, and the contempt of all honest men.

All the associations, it is true, do not breathe the spirit which disgraces that of the Crown and Anchor. But they all concur in establishing a political test, on the first appearance of which the friends of liberty should make a stand. The opinions proposed may be innocent; but the precedent is fatal, and the moment subscription becomes the price of security, the rubicon is passed. Emboldened by the success of this expedient, its authors will venture on more vigorous measures: test will steal upon test; the bounds of tolerated opinion will be continually narrowed, till we awake under the fangs of a relentless despotism.

### SECTION III.

#### ON A REFORM OF PARLIAMENT.

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WHATEVER difference of opinion may take place in points of less importance, there is one in which the friends of freedom are entirely agreed, that is, the necessity of reform in the representation. The theory of the English constitution presents three independent powers; the king as executive head, with a negative in the legislature, an hereditary House of Peers, and an assembly of Commons who are appointed to represent the nation at large. From this enumeration it is plain, the people of England can have no liberty, that is, no share in forming the laws, but what they exert through the medium of the last of those bodies; nor then, but in proportion to its independence of the other. The independence, therefore, of the House of Commons, is the column on which the whole fabric of our liberty rests. Representation may be considered as complete when it collects to a sufficient extent, and transmits with perfect fidelity, the real sentiments of the people; but this it may fail of accomplishing through various causes. If its electors are but a handful of people, and of a peculiar order and description; if its duration is sufficient to enable it to imbibe the spirit of a corporation; if its integrity be corrupted by the treasury influence, or warped by the prospect of places and pensions; it may, by these means, not only fail of the end of its appointment, but fall into such an entire dependence on the executive branch, as to become a most dangerous instrument of arbitrary power. The usurpation of the emperors at Rome would not have been safe, unless it had concealed itself behind the formalities of a senate.

The confused and inadequate state of our representation, at present, is too obvious to escape the attention of the most careless observer. While through the fluctuation of human affairs, many towns of ancient note have fallen into decay, and the increase of commerce has raised obscure hamlets to splendour and distinction, the state of representation standing still amidst these vast changes, points back to an order of things which no longer subsists. The opulent towns of Birmingham, Manchester, and Leeds, send no members to parliament; the decayed boroughs of Cornwall appoint



a multitude of representatives. Old Sarum sends two members, though there are not more than one or two families reside in it. The disproportion between those who vote for representatives and the people at large is so great, that the majority of our House of Commons is chosen by less than eight thousand, in a kingdom consisting of as many millions. Mr. Burgh, in his excellent political disquisitions, has made a very laborious calculation on this head, from which it appears, that the affairs of this great empire are decided by the suffrages of between five and six thousand electors; so that our representation instead of being co-extended with the people, fails of this in a proportion that is truly enormous. The qualifications, moreover, that confer the right of election, are capricious and irregular. In some places it belongs to the corporation, or to those whom they think proper to make free; in some to every house-keeper; in others it is attached to a particular estate, whose proprietor is absolute lord of the borough, of which he makes his advantage, by representing it himself, or disposing of it to the best bidder. In counties, the right of election is annexed only to one kind of property, that of freehold; the proprietor of copyhold land being entirely deprived of it though his political situation is precisely the same.

The consequence of this perplexity in the qualifications of electors is often a tedious scrutiny and examination before a committee of the House of Commons, prolonged to such a length, that there is no time when there are not some boroughs entirely unrepresented. These gross defects in our representation have struck all sensible men very forcibly; even Mr. Paey, a courtly writer in the main, declares, the bulk of the inhabitants of this country have little more concern in the appointment of parliament, than the subjects of the Grand Seignior at Constantinople.

On the propriety of the several plans which have been proposed to remedy these evils, it is not for me to decide; I shall choose rather to point out two general principles which ought, in my opinion, to pervade every plan of parliamentary reform; the first of which respects the mode of election, the second the independence of the elected. In order to give the people a true representation, let its basis be enlarged, and the duration of parliaments shortened. The first of these improvements would diminish bribery and corruption, lessen the violence and tumult of elections, and secure to the people a real, and unequivocal organ for the expression of their sentiments.

Were every householder in town and country permitted to vote, the number of electors would be so great, that as no art or industry would

be able to bias their minds, so no sums of money would be sufficient to win their suffrages. The plan which the Duke of Richmond recommended was, if I mistake not, still more comprehensive, including all that were of age, except menial servants. By this means, the different passions and prejudices of men would check each other, the predominance of any particular or local interest be kept down, and from the whole there would result that *general impression*, which would convey with precision the unbiassed sense of the people.

But besides this, another great improvement, in my opinion, would be, to shorten the duration of parliament, by bringing it back to one year. The *Michel Gemote*, or great council of the kingdom, was appointed to meet under Alfred twice a year, and by divers ancient statutes after the conquest, the king was bound to summon a parliament every year or oftener, if need be; when to remedy the looseness of this latter phrase, by the 16th of Charles the Second it was enacted, the holding of parliaments should not be intermitted above three years at most; and in the first of King William, it is declared as one of the rights of the people, that for redress of all grievances and preserving the laws, parliaments ought to be held frequently; which was again reduced to a certainty by another statute, which enacts, that a new parliament shall be called within three years after the termination of the former. To this term did they continue limited till the reign of George the First; when, after the rebellion of fifteen, the septennial act was passed, under the pretence of diminishing the expense of elections and preserving the kingdom against the designs of the Pretender. A noble Lord observed, on that occasion, he was at an utter loss to describe the nature of this prolonged parliament, unless he were allowed to borrow a phrase from the Athanasian Creed; for it was, "neither created, nor begotten but proceeding." Without disputing the upright intentions of the authors of this act, it is plain, they might on the same principle have voted themselves perpetual, and their conduct will ever remain a monument of that short-sightedness in politics, which in providing for the pressure of the moment puts to hazard the liberty and happiness of future times. It is intolerable, that in so large a space of a man's life as seven years, he should never be able to correct the error he may have committed in the choice of a representative, but be compelled to see him every year dipping deeper into corruption; a helpless spectator of the contempt of his interests, and the ruin of his country. During the present period of parliaments a nation may sustain the greatest possible changes; may descend by a succession of ill counsels, from the highest

pinnacle of its fortunes, to the lowest point of depression ; its treasure exhausted, its credit sunk, and its weight almost completely annihilated in the scale of empire. Ruin and felicity are seldom dispensed by the same hand, nor is it likely any succour in calamity should flow from the wisdom and virtue of those by whose folly and wickedness it was incurred.

The union between a representative and his constituents, ought to be strict and entire ; but the septennial act has rendered it little more than nominal. The duration of parliament sets its members at a distance from the people, begets a notion of independence, and gives the minister so much leisure to insinuate himself into their graces, that before the period is expired, they become very mild and complying. Sir Robert Walpole used to say, that "every man had his price ;" a maxim on which he relied with so much security, that he declared he seldom troubled himself with the election of members, but rather chose to stay and buy them up when they came to market. A very interesting work, lately published, entitled, "Anecdotes of Lord Chatham," unfolds some parts of this mystery of iniquity, which the reader will probably think equally new and surprising. There is a regular office, it seems, that of manager of the House of Commons, which generally devolves on one of the secretaries of state, and consists in securing, at all events, a majority in parliament by a judicious application of promises and bribes. The sums disbursed by this honourable office are involved under the head of Secret Service money ; and so delicate is this employment of manager of the House of Commons considered, that we have an account in the above-mentioned treatise, of a new arrangement of ministry, which failed for no other reason, than that the different parties could not agree on the proper person to fill it\*.

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\* As I have taken my information on this head entirely on the authority of the work called Anecdotes of Lord Chatham, the reader may not be displeas'd with the following extract, vol. ii, page 121. "The management of the House of Commons, as it is called, is a confidential department, unknown to the constitution. In the public accounts it is immersed under the head of secret service money. It is usually given to the secretary of state when that post is filled by a commoner. The business of the department, is to distribute with *art* and *policy* amongst the members who have no ostensible places, sums of money, for their support during the session ; besides contracts, lottery tickets, and other douceurs. It is no uncommon circumstance, at the end of a session, for a gentleman to receive five hundred or a thousand pounds for his services."

This secret influence which prevails, must be allowed to be extremely disgraceful; nor can it ever be effectually remedied, but by contracting the duration of parliaments.

If it be objected to annual parliaments, that by this means the tumult and riot attendant on elections, will be oftener repeated; it ought to be remembered, their duration is the chief source of these disorders. Render a seat in the House of Commons of less value, and you diminish at once the violence of the struggle. In America, the election of representatives takes place throughout that vast continent, in one day, with the greatest tranquillity.

In a mixed constitution like ours, it is impossible to estimate the importance of an independent parliament; for as it is here our freedom consists, if this barrier to the encroachments of arbitrary power once fails, we can oppose no other. Should the king attempt to govern without a parliament, or should the upper house pretend to legislate, independently of the lower, we should immediately take the alarm; but if the House of Commons fall insensibly under the control of the other two branches of the legislature, our danger is greater, because our apprehensions may be less. The forms of a free constitution surviving when its spirit is extinct, would perpetuate slavery by rendering it more concealed and secure. On this account, I apprehend, did Montesquieu predict the loss of our freedom, from the legislative power becoming more corrupt than the executive; a crisis to which if it has not arrived already, it is hastening apace. The immortal Locke, far from looking with the indifference too common on the abuses in our representation, considered all improper influence exerted in that quarter, as threatening the very dissolution of government. "*Thus,*" says he, "*to regulate candidates and electors, and new model the ways of election, what is it but to cut up the government by the roots, and poison the very fountain of public security.*"

No enormity can subsist long without meeting with advocates; on which account we need not wonder, that the corruption of Parliament has been justified under the mild denomination of influence, though it must pain every virtuous mind to see the enlightened Paley engaged in its defence. If a member votes consistent with his convictions, his conduct in that instance has not been determined by influence; but if he votes otherwise, give it what gentle name you please, he forfeits his integrity; nor is it possible to mark the boundaries which should limit his compliance; for if he may deviate a little, to attain the See of Winchester, he may certainly step a little farther, to reach the dignity of Pri-

mate. How familiar must the practice of corruption have become, when a philosophical moralist, a minister of religion, of great talents and virtue, in the calm retreat of his study, does not hesitate to become its public apologist.

The necessity of a reform in the constitution of parliament is in nothing more obvious than in the ascendancy of the aristocracy. This Colossus bestrides both houses of parliament; legislates in one and exerts a domineering influence over the other. It is humiliating at the approach of an election, to see a whole county send a deputation to an Earl or Duke, and beg a representative as you would beg an alms. A multitude of laws have been framed, it is true, to prevent all interference of peers in elections; but they neither are nor can be effectual, while the House of Commons opens its doors to their sons and brethren. If our liberty depends on the balance and control of the respective orders in the state, it must be extremely absurd, to blend them together, by placing the father in one department of the legislature, and his family in the other.

Freedom is supposed by some to derive great security from the existence of a regular opposition; an expedient which is, in my opinion, both the offspring and the cherisher of faction. That a minister should be opposed, when his measures are destructive to his country, can admit of no doubt; that a systematic opposition should be maintained against any man, merely as a minister, without regard to the principles he may profess, or the measures he may propose, which is intended by a regular opposition, appears to me a most corrupt and unprincipled maxim. When a legislative assembly is thus thrown into parties, distinguished by no leading principle, however warm and animated their debates, it is plain, they display only a struggle for the emoluments of office. This the people discern, and in consequence, listen with very little attention to the representations of the minister on one hand, or the minority on the other; being persuaded the only real difference between them is that the one is anxious to gain, what the other is anxious to keep. If a measure be good it is of no importance to the nation from whom it proceeds; yet will it be esteemed by the opposition a point of honour, not to let it pass without throwing every obstruction in its way. If we listen to the minister for the time being, the nation is always flourishing and happy; if we hearken to the opposition, it is a chance if it be not on the brink of destruction. In an assembly convened to deliberate on the affairs of a nation, how disgusting to hear the members perpetually talk of their connexions, and their resolution to act with a particular set of

men, when if they have happened by chance, to vote according to their convictions rather than their party, half their speeches are made up of apologies for a conduct so new and unexpected. When they see men united who agree in nothing but their hostility to the minister, the people fall at first into amazement and irresolution, till perceiving political debate is a mere scramble for profit and power, they endeavour to become as corrupt as their betters. It is not in that roar of faction which deafens the ear and sickens the heart, the still voice of Liberty is heard. She turns from the disgusting scene, and regards these struggles as the pangs and convulsions in which she is doomed to expire.

The era of parties, flowing from the animation of freedom, is ever followed by an era of faction, which marks its feebleness and decay. Parties are founded on *principle*, factions on *men*; under the first, the people are contending respecting the system that shall be pursued; under the second, they are candidates for servitude, and are only debating *whose livery* they shall wear. The purest times of the Roman republic were distinguished by violent dissensions; but they consisted in the jealousy of the several *orders* of the state among each other; on the ascendant of the patricians on the one side, and the plebeians on the other; a useful struggle which maintained the balance and equipoise of the constitution. In the progress of corruption things took a turn: the permanent parties which sprang from the fixed principles of the government were lost, and the citizens arranged themselves under the standard of particular leaders, being bandied into factions, under Marius or Sylla, Cæsar or Pompey; while the republic stood by without any interest in the dispute, a passive and helpless victim. The crisis of the fall of freedom in different nations, with respect to the causes that produce it, is extremely uniform. After the manner of the ancient factions, we hear much in England of the Bedford party, the Rockingham party, the Portland party; when it would puzzle the wisest man to point out their political distinction. The useful jealousy of the separate orders is extinct, being all melted down and blended into one mass of corruption. The House of Commons looks with no jealousy on the House of Lords, nor the House of Lords on the House of Commons; the struggle in both is maintained by the ambition of powerful individuals and families, between whom the kingdom is thrown as the prize, and the moment they unite, they perpetuate its subjection and divide its spoils.

From a late instance, we see they quarrel only about the partition of the prey, but are unanimous in defending it. To the honour of Mr. Fox, and the band of illustrious patriots of which he is the leader, it

will however be remembered, they stood firm against a host of opponents, when assailed by every species of calumny and invective, they had nothing to expect but the reproaches of the present and the admiration of all future times. If any thing can re-kindle the sparks of freedom, it will be the flame of their eloquence; if any thing can re-animate her faded form, it will be the vigour of such minds.

The disordered state of our representation, it is acknowledged on all hands, must be remedied, some time or other; but it is contended that it would be improper, at present, on account of the political ferment that occupies the minds of men and the progress of republican principles; a plausible objection if delay can restore public tranquillity: but unless I am greatly mistaken, it will have just a contrary effect. It is hard to conceive, how the discontent that flows from the abuses of government can be allayed by their being perpetuated. If they are of such a nature that they can neither be palliated nor denied, and are made the ground of invective against the whole of our constitution, are not they its best friends who wish to cut off this occasion of scandal and complaint. The *Theory* of our constitution, we say, and justly, has been the admiration of the world; the cavils of its enemies, then, derive their force entirely from the disagreement between that theory and its practice; nothing therefore remains, but to bring them as near as human affairs will admit to a perfect correspondence. This will cut up faction by the roots, and immediately distinguish those who wish to reform the constitution, from those who wish its subversion. Since the abuses are real, the longer they are continued the more they will be known; the discontented will always be gaining ground, and though repulsed will return to the charge with redoubled vigour and advantage. Let reform be considered as a chyrurgical operation, if you please, but since the constitution must undergo it or die, it is best to submit, before the remedy becomes as dangerous as the disease. The example drawn from a neighbouring kingdom, as an argument for delay, ought to teach us a contrary lesson. Had the encroachments of arbitrary power been steadily resisted, and remedies been applied, as evils appeared, instead of piling them up as precedents, the disorders of government could never have arisen to that enormous height, nor would the people have been impelled to the dire necessity of building the whole fabric of political society afresh. It seems an infatuation in governments, that in tranquil times, they treat the people with contempt, and turn a deaf ear to their complaints; till public resentment kindling, they find when it is too late, that in their eagerness to retain every thing, they have lost all.

The pretences of Mr. Pitt and his friends for delaying this great business, are so utterly inconsistent, that it is too plain they are averse in reality to its ever taking place. When Mr. Pitt is reminded that he himself, at the beginning of his ministry, recommended parliamentary reform, he replies, it was necessary then, on account of the calamitous state of the nation, just emerged from an unsuccessful war, and filled with gloom and disquiet. But unless the people are libelled, they are now still more discontented; with this difference, that their uneasiness formerly arose from events but remotely connected with unequal representation; but that this is now the chief ground of complaint. It is absurd, however, to rest the propriety of reform on any turn of public affairs. If it be not requisite to secure our freedom, it is vain and useless; but if it be a proper means of preserving that blessing, the nation will need it as much in peace as in war. When we wish to retain those habits, which we know it were best to relinquish, we are extremely ready to be soothed with momentary pretences for delay, though they appear, on reflection, to be drawn from quite opposite topics, and therefore to be equally applicable to all times and seasons.

A similar delusion is practised in the conduct of public affairs. If the people be tranquil and composed and have not caught the passion of reform; it is impolitic, say the ministry, to disturb their minds, by agitating a question that lies at rest: if they are awakened, and touched with a conviction of the abuse, we must wait, say they, till the ferment subsides, and not lessen our dignity by seeming to yield to popular clamour: if we are at peace, and commerce flourishes, it is concluded we cannot need any improvement, in circumstances so prosperous and happy: if, on the other hand, we are at war, and our affairs unfortunate, an amendment in the representation is dreaded, as it would seem an acknowledgment, that our calamities flowed from the ill-conduct of parliament. Now, as the nation must always be in one or other of these situations, the conclusion is, the period of reform can never arrive at all.

This pretence for delay will appear the more extraordinary, in the British ministry, from a comparison of the exploits they have performed, with the task they decline. They have found time for involving us in millions of debt; for cementing a system of corruption, that reaches from the cabinet to the cottage; for carrying havoc and devastation to the remotest extremities of the globe; for accumulating taxes which famish the peasant and reward the parasite; for bandying the whole kingdom into factions, to the ruin of all virtue and public spirit;



for the completion of these achievements they have suffered no opportunity to escape them. Elementary treatises on time, mention various arrangements and divisions, but none have ever touched on the chronology of statesmen. These are a generation, who measure their time not so much by the revolutions of the sun, as by the revolutions of power. There are two eras particularly marked in their calendar; the one the period they are in the ministry, and the other when they are out; which have a very different effect on their sentiments and reasoning. Their course commences in the character of friends to the people, whose grievances they display in all the colours of variegated diction. But the moment they step over the threshold of St. James's, they behold every thing in a new light; the taxes seem lessened, the people rise from their depression, the nation flourishes in peace and plenty, and every attempt at improvement is like heightening the beauties of paradise, or mending the air of elysium.

## SECTION IV.

## ON THEORIES AND THE RIGHTS OF MAN.

AMONG the many alarming symptoms of the present time, it is not the least, that there is a prevailing disposition to hold in contempt, the *Theory* of liberty as false and visionary. For my own part, it is my determination never to be deterred by an obnoxious name, from an open avowal of any principles that appear useful and important. Were the ridicule now cast on the Rights of Man confined to a mere phrase, as the title of a book, it were of little consequence; but when *that* is made the pretence for deriding the doctrine, it is matter of serious alarm.

To place the rights of man as the basis of lawful government, is not peculiar to Mr. Paine; but was done more than a century ago by men, of no less eminence than Sidney and Locke. It is therefore extremely disingenuous to impute the system to Mr. Paine as its author. His structure may be false and erroneous, but the foundation was laid by other hands. That there are *natural rights*, or in other words, a certain liberty which men may exercise, independent of permission from society, can scarcely be doubted by those who comprehend the meaning of the terms. Every man must have a natural right to use his limbs in what manner he pleases, that is not injurious to another. In like manner he must have a right to worship God after the mode he thinks acceptable; or in other words, he ought not to be compelled to consult any thing but his own conscience. These are a specimen of those rights which may properly be termed *natural*; for, as philosophers speak of the primary qualities of matter, they cannot be increased or diminished. We cannot conceive, the right of using our limbs to be created by society, or to be rendered more complete by any human agreement or compact.

But there still remains a question, whether this natural liberty must not be considered as entirely relinquished when we become members of society. It is pretended, the moment we quit a state of *nature*, as we have given up the control of our actions in return for the superior

advantages of law and government; we can never appeal again to any original principles, but must rest content with the advantages that are secured by the terms of the society. These are the views which distinguish the political writings of Mr. Burke, an author whose splendid and unequalled powers have given a vogue and fashion to certain tenets, which from any other pen would have appeared abject and contemptible. In the field of reason the encounter would not be difficult, but who can withstand the fascination and the magic of his eloquence. The excursions of his genius are immense. His imperial fancy has laid all nature under tribute, and has collected riches from every scene of the creation, and every walk of art. His eulogium on the Queen of France is a masterpiece of pathetic composition; so select are its images, so fraught with tenderness, and so rich with colours, "dipt in heaven," that he who can read it without rapture may have merit as a reasoner, but must resign all pretensions to taste and sensibility. His imagination is in truth only too prolific: a world of itself, where he dwells in the midst of chimerical alarms, is the dupe of his own enchantment, and starts, like Prospero, at the spectres of his own creation.

His intellectual views in general, however, are wide and variegated rather than distinct; and the light he has let in on the British constitution in particular, resembles the coloured effulgence of a painted medium, a kind of mimic twilight, solemn and soothing to the senses, but better fitted for ornament than use.

A book has lately been published, under the title of Happiness and Rights, written by Mr. Hey, a respectable member of the University of Cambridge, whose professed object is, with Mr. Burke, to overturn the doctrine of natural rights. The few remarks I may make upon it are less on account of any merit in the work itself, than on account of its author, who being a member of considerable standing in the most liberal of our universities, may be presumed to speak the sentiments of that learned body. The chief difference between his theory and Mr. Burke's seems to be the denial of the existence of any rights that can be denominated natural, which Mr. Burke only supposes *resigned* on the formation of political society. The rights, says Mr. Hey, "*I can conjecture (for it is but a conjecture) to belong to me as a mere man, are so uncertain, and comparatively so unimportant, while the rights I feel myself possessed of in civil society are so great, so numerous, and many of them so well defined, that I am strongly inclined to consider society, as creating or giv-*

ing my rights rather than recognizing and securing what I could have claimed if I had lived in an unconnected state;" p. 137.

As government implies restraint, it is plain a portion of our freedom is given up, by entering into it; the only question can then be, how far this resignation extends, whether to a part or to the whole. This point may, perhaps, be determined by the following reflections.

1. The advantages that civil power can produce to a community are *partial*. A small part, in comparison of the condition of man, can fall within its influence. Allowing it to be a rational institution, it must have that end in view, which a reasonable man would propose by appointing it; nor can it imply any greater sacrifice than is strictly necessary to its attainment. But on what account is it requisite to unite in political society. Plainly to guard against the injury of others; for were there no injustice among mankind, no protection would be needed; no *public force* necessary, every man might be left without restraint or control. The attainment of all possible good then is *not* the purpose of laws, but to secure us from external injury and violence; and as the means must be proportioned to the end; it is absurd to suppose, by submitting to civil power, with a view to some *particular* benefits, we should be understood to hold all our advantages dependent upon that authority. Civil restraints imply nothing more, than a surrender of our liberty in some points, in order to maintain it undisturbed in others of more importance. Thus we give up the liberty of repelling force by force, in return for a more equal administration of justice than private resentment would permit. But there are some rights which cannot with any propriety be yielded up to human authority, because they are perfectly consistent with every benefit its appointment can procure. The free use of our faculties in distinguishing truth from falsehood, the exertion of corporeal powers without injury to others, the choice of a religion and worship, are branches of natural freedom which no government can justly alter or diminish, because their restraint cannot conduce to that security which is its proper object. Government, like every other contrivance, has a *specific end*; it implies the resignation of just as much liberty as is needful to attain it: whatever is demanded more, is superfluous, a leaning to tyranny, which ought to be corrected by withdrawing it. The relation of master and servant, of pupil and instructor, of the respective members of a family to their head, all include some restraint, some abridgment of natural liberty. But in these cases it is not pretended, the surrender is total, and why should this be supposed to take place in political society, which is *one* of the relations of human life: this would be to render the foundation infinitely broader than the superstructure.

2. From the notion that political society precludes an appeal to natural rights, the greatest absurdities must ensue. If that idea be just, it is improper to say of any administration, it is despotic or oppressive, unless it has receded from its first form and model. Civil power can never exceed its limits, until it deviates into a new track. For if every portion of natural freedom be given up by yielding to civil authority, we can never claim any other liberties than those precise ones which were ascertained in its first formation. The vassals of despotism may complain, perhaps, of the hardships which they suffer, but, unless it appear they are of *a new kind*, no injury is done them; for no right is violated. Rights are either natural or artificial; the first cannot be pleaded after they are relinquished, and the second cannot be impaired but by a departure from ancient precedents. If a man should be unfortunate enough to live under the dominion of a prince, who, like the monarchs of Persia, could murder his subjects at will, he may be unhappy, but cannot complain; for, on Mr. Hey's theory, he never had any rights but what were created by society, and on Mr. Burke's he has for ever relinquished them. The claims of *nature* being set aside, and the constitution of the government despotic from the beginning, his misery involves no injustice, and admits of no remedy. It requires little discernment to see that this theory rivets the chains of despotism, and shuts out from the political world the smallest glimpse of emancipation or improvement. Its language is, he that is a slave let him be a slave still.

3. It is incumbent on Mr. Burke and his followers to ascertain the *time* when natural rights are relinquished. Mr. Hey is content with tracing their existence to society, while Mr. Burke, more moderate of the two, admitting their foundation in nature, only contends that regular government absorbs and swallows them up, bestowing artificial advantages in exchange. But at what period it may be inquired shall we date this wonderful revolution in the social condition of man. If we say it was as early as the first dawn of society, natural liberty had never any existence at all, since there are no traces even in tradition of a period when men were utterly unconnected with each other. If we say this complete surrender took place with the first rudiments of law and government in every particular community, on what principle were subsequent improvements introduced. Mr. Burke is fond of resting our liberties on Magna Charta and the Bill of Rights; but he ought to remember, that as they do not carry us to the commencement of our government, which was established ages before, our forefathers had long ago resigned their natural liberty. If those famous stipulations only re-

cognized such privileges as were in force before, they have no claim to be considered as the foundations of our constitution; but if they formed an *era* in the annals of freedom they must have been erected on the basis of those natural rights which Mr. Burke ridicules and explodes. When our ancestors made those demands, it is evident they did not suppose an appeal to the rights of nature precluded. Every step a civilized nation can take towards a more equal administration, is either an assertion of its natural liberty, or a criminal encroachment on just authority. The influence of government on the stock of natural rights, may be compared to that of a manufactory on the rude produce; it adds nothing to its quantity, but only qualifies and fits it for use. Political arrangement is more or less perfect in proportion as it enables us to exert our natural liberty to the greatest advantage; if it is diverted to any other purpose, is made the instrument of gratifying the passions of a few, or imposes greater restraint than its object prescribes, it degenerates into tyranny and oppression.

The greatest objection to these principles is their perspicuity, which makes them ill relished by those whose interest it is to hide the nature of government from vulgar eyes, and induce a persuasion, that it is a secret which can only be unfolded to the *initiated* under the conduct of Mr. Burke, the great *Hierophant* and revealer of the mysteries. A mystery and a trick are generally two sides of the same object, according as it is turned to the view of the beholder.

The doctrine of Mr. Locke and his followers is founded on the natural equality of mankind; for as no man can have any natural or inherent right to rule any more than another, it necessarily follows, that a claim to dominion, wherever it is lodged, must be ultimately referred back to the explicit or implied consent of the people. Whatever source of civil authority is assigned different from this, will be found to resolve itself into *mere force*. But as the natural equality of one generation is the same with that of another, the people have always the same right to new model their government, and set aside their rulers. This right, like every other, may be exerted capriciously and absurdly; but no human power can have any pretensions to intercept its exercise. For civil rulers cannot be considered as having any claims, that are co-extended with those of the people, nor as forming a party separate from the nation. They are appointed by the community to *execute* its will, not to *oppose* it: to manage the *public*, not to pursue any *private* or *particular* interests. Are all the existing authorities in a state, to lie then, it may be said, at the mercy of the populace, liable to be dissipated by the first

breath of public discontent? By no means: they are to be respected and obeyed, as interpreters of the public will. Till they are set aside by the unequivocal voice of the people, they are a law to every member of the community. To resist them is rebellion; and for any particular set of men to attempt their subversion by force, is a heinous crime, as they represent and embody the collective majesty of the state. They are the exponents, to use the language of algebra, of the precise quantity of liberty the people have thought fit to legalize and secure. But though they are a law to every member of the society separately considered, they cannot bind the society itself, or prevent it, when it shall think proper, from forming an entire new arrangement; a right that no compact can alienate or diminish, and which has been exerted as often as a free government has been formed. On this account, in resolving the right of dominion into compact, Mr. Locke appears to me somewhat inconsistent, or he has expressed himself with less clearness and accuracy than was usual with that great philosopher. There must have been a previous right to insist on stipulations, in those who formed them; nor is there any reason why one race of men is not as competent to that purpose as another.

With the enemies of freedom, it is a usual artifice to represent the sovereignty of the people as a license to anarchy and disorder. But the tracing up civil power to that source will not diminish our obligation to obey; it only explains its reasons, and settles it on clear determinate principles. It turns blind submission into rational obedience, tempers the passion for liberty with the love of order, and places mankind in a happy medium, between the extremes of anarchy on the one side, and oppression on the other. It is the polar star that will conduct us safe over the ocean of political debate and speculation, the law of laws, the legislator of legislators.

To reply to all the objections that have been advanced against this doctrine, would be a useless task, and exhaust the patience of the reader; but there is one drawn from the idea of a majority, much insisted on by Mr. Burke, and Mr. Hey, of which the latter gentleman is so enamoured, that he has spread it out into a multitude of pages. They assert, that the theory of natural rights, can never be realized, because every member of the community cannot concur in the choice of a government, and the minority being compelled to yield to the decisions of the majority, are under tyrannical restraint. To this reasoning it is a sufficient answer, that if a number of men are to act together at all, the necessity of being determined by the sense of the majority, in the last resort, is so

obvious, that it is always implied. An exact concurrence of many particular wills, is impossible, and therefore when each taken separately has precisely the same influence, there can be no hardship in suffering the result to remain at issue, till it is determined by the coincidence of the greater number. The idea of *natural liberty* at least, is so little violated by this method of proceeding, that it is no more than what takes place every day in the smallest society, where the necessity of being determined by the voice of the majority, is so plain, that it is scarcely ever reflected upon. The defenders of the rights of man, mean not to contend for impossibilities. We never hear of a right to fly, or to make two and two five. If the majority of a nation approve its government, it is in this respect as free as the smallest association or club; any thing beyond which must be visionary and romantic.

The next objection Mr. Hey insists upon is, if possible, still more frivolous, turning on the case of young persons during minority. He contends, that as some of these have more sense than may be found among common mechanics, and the lowest of the people, *natural right* demands their inclinations to be consulted in political arrangements. Were there any method of ascertaining exactly the degree of understanding possessed by young persons during their minority, so as to distinguish early intellects from the less mature, there would be some force in the objection; in the present case, the whole supposition is no more than one of those chimeras which this gentleman is ever fond of combating, with the same gravity, and to as little purpose, as Don Quixote his windmill.

The period of minority it is true, varies in different countries, and is perhaps best determined every where by ancient custom and habit. An early maturity may confer on sixteen, more sagacity than is, sometimes, found at sixty; but what then? A wise government having for its object, human nature at large, will be adapted, not to its accidental deviations, but to its usual aspects and appearances. For an answer to his argument against natural rights, drawn from the exclusion of women from political power, I beg leave to refer the author to the ingenious Miss Wolstencroft, the eloquent patroness of female claims; unless, perhaps, every other empire may appear mean in the estimation of those, who possess, with an uncontrolled authority, the empire of the heart.

“The situation,” says Mr. Hey, (p. 137.) “in which any man finds himself placed, when he arrives at the power of reflecting, appears to be the consequence of a vast train of events; extending back-



wards hundreds or thousands of years, for aught he can tell, and totally baffling all the attempts at comprehension by human faculties.

From hence he concludes, all inquiry into the rights of man should be forborne. "What rights this Being (God) may have possibly intended that I might claim from beings like myself, if he had thought proper that I had lived amongst them in an *unconnected* state, that is to say, what are the rights of a mere *man*, appears a question involved in such obscurity, that I cannot trace even any indication of that Being having intended me to inquire into it."

If any thing be intended by these observations, it is, that we ought never to attempt to meliorate our condition, till we are perfectly acquainted with its causes. But as the subjects of the worst government are, probably as ignorant of the train of events for some thousands of years back, as those who enjoy the best, they are to rest contented, it seems, until they can clear up that obscurity, and inquire no farther.

It would seem strange to presume an inference good, from not knowing how we arrived at it. Yet this seems as reasonable as to suppose the political circumstances of a people fit and proper, on account of our inability to trace the causes that produced them. To know the source of an evil, is only of consequence, as it may chance to conduct us to the remedy. But the whole paragraph I have quoted, betrays the utmost perplexity of thought; confounding the *civil condition* of individuals, with the political institution of a society. The former will be infinitely various in the same community, arising from the different character, temper, and success of its members: the latter unites and pervades the whole, nor can any abuses attach to it, but what may be displayed and remedied.

It is perfectly disingenuous in this author, to represent his adversaries, as desirous of committing the business of legislation indiscriminately to the meanest of mankind.\* He well knows the wildest democratical writer contends for nothing more than popular government,

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\* "A man whose hands and ideas have been usefully confined for thirty or forty years to the labour and management of a farm, or the construction of a wall, or piece of cloth, does indeed, in one respect, appear superior to an infant three months old. The man could make a law of some sort or other; the infant could not. The man could in any particular circumstances of a nation, say those words, We will go to war, or we will not go to war; the infant could not. But the difference between them is more in appearance than in any useful reality. The man is totally unqualified to judge what ought to be enacted for laws." Hey, p. 31.

by *representation*. If the labouring part of the people are not competent to *chuse* legislators, the English constitution is essentially wrong; especially in its present state, where the importance of each vote is enhanced by the paucity of the electors.

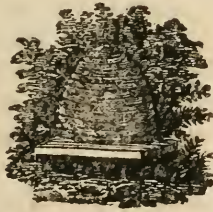
After the many examples of misrepresentation which this author has furnished, his declamations on the levelling system cannot be matter of surprise. An equality of right is perfectly consistent with the utmost disproportion between the objects to which they extend. A peasant may have the same right to the exertion of his faculties with a Newton; but this will not fill up the vast chasm that separates them.

The ministry will feel great obligations to Mr. Hey, for putting off the evil day of reform to a far distant period,—a period so remote, that they may hope before it is completed, their names and their actions will be buried in friendly oblivion. He indulges a faint expectation, he tells us, that the practice of governments may be improved “*in two or three thousand years.*”

A smaller edition of this work has lately been published, considerably abridged, for the use of the poor, who, it may be feared, will be very little benefitted by its perusal. Genuis may dazzle, eloquence may persuade, reason may convince; but to render popular cold and comfortless sophistry, unaided by those powers, is an hopeless attempt.

I have trespassed, I am afraid, too far on the patience of my readers, in attempting to expose the fallacies by which the followers of Mr. Burke perplex the understanding, and endeavour to hide in obscurity the true sources of political power. Were there indeed any impropriety in laying them open, the blame would not fall on the friends of freedom, but on the provocation afforded by the extravagance and absurdity of its enemies. If princely power had never been raised to a level with the attributes of the divinity, by Filmer, it had probably never been sunk as low as popular acquiescence by Locke. The confused mixture of liberty and oppression, which ran through the feudal system, prevented the theory of government from being closely inspected; particular rights were secured, but the relation of the people to their rulers was never explained on its just principles, till the transfer of superstition to civil power, shocked the common sense of mankind, and awakened their inquiries. They drew aside the veil, and where they were taught to expect a mystery, they discerned a fraud. There is however no room to apprehend any evil from political investigation, that will not be greatly overbalanced by its advantages. For besides that truth is always beneficial; tame submission to usurped power, has hitherto

been the malady of human nature. The dispersed situation of mankind, their indolence and inattention, and the opposition of their passions and interests, are circumstances which render it extremely difficult for them to combine in resisting tyranny with success. In the field of government, as in that of the world, *the tares of despotism were sown while men slept!* The necessity of regular government, under some form or other, is so pressing, that the evil of anarchy is of short duration. Rapid, violent, destructive in its course, it is an inundation which fed by no constant spring, soon dries up and disappears. The misfortune on these occasions, is, that the people, for want of understanding the principles of liberty, seldom reach the true source of their misery; but after committing a thousand barbarities, only change their masters, when they should change their system.



## SECTION V.

## ON DISSENTERS.

OF that foul torrent of insult and abuse, which it has lately been the lot of the friends of liberty to sustain, a larger portion hath fallen to the share of dissenters than any other description of men. Their sentiments have been misrepresented, their loyalty suspected, and their most illustrious characters held up to derision and contempt. The ashes of the dead have been as little spared as the merit of the living; and the same breath that has attempted to depreciate the talents and virtues of a Priestley, is employed to blacken the memory of a Price. The effusions of a distempered loyalty, are mingled with execrations on that unfortunate sect; as if an attachment to the King were to be measured by an hatred to Dissenters. Without any shadow of criminality, they are doomed to sustain perpetual insult and reproach; their repose disturbed, and their lives threatened and endangered. If dissent be in truth, a crime of such magnitude, that it must not be tolerated, let there be at least a punishment prescribed by law, that they may know what they have to expect, and not lie at the mercy of an enraged and deluded populace. It is natural to inquire into the cause of this extreme virulence against a particular class of the community, who are distinguished from others, only by embracing a different form and system of worship.

In the practice of the moral virtues, it will hardly be denied, that they are at least as exemplary as their neighbours; while in the more immediate duties of religion, if there be any distinction, it lies in their carrying to a greater height, sentiments of seriousness and devotion. The nature of their *public conduct* will best appear from a rapid survey of some of those great political events in which it has had room to display itself; where, though our history has been ransacked to supply invective, it will be seen, their merits more than compensate for any errors they may have committed. Their zeal in opposing Charles, has been an eternal theme of reproach; but it should be remembered,

that when that resistance first took place, the parliament consisted for the most part of churchmen, and was fully justified in its opposition, by the arbitrary measures of the court. Had the pretensions of Charles been patiently acquiesced in, our government had long ago been despotic.

What medium might have been found between tame submission and open hostility, and whether matters were not afterwards pushed to an extremity against the unfortunate monarch, it is not for me to determine, nor does it concern the vindication of Dissenters. For long before the final catastrophe which issued in the king's death, the favourable intentions of parliament were over-ruled by the ascendancy of Cromwell; the parliament itself oppressed by his arms, and the influence both of churchmen and dissenters, bent under military usurpation. The execution of Charles was the deed of a faction, condemned by the great body of the puritans as a criminal severity. But whatever blame they may be supposed to have incurred on account of their conduct to Charles, the merit of restoring monarchy in his son was all their own. The entire force of the empire was in their hands; Monk himself of their party; the parliament, the army all puritans; yet were they disinterested enough to call the heir to the throne, and yield the reins into his hands, with no other stipulation, than that of liberty of conscience; which he violated with a baseness and ingratitude peculiar to his character. All the return he made them for the recovery of his power, consisted in depriving two thousand of their ministers, and involving the whole body in a persecution, by which not less than ten thousand are supposed to have perished in imprisonment and want. But their patriotism was not to be shaken by these injuries. When towards the latter end of Charles the Second's reign the character of his successor inspired a dread of the establishment of popery, to avert that evil they cheerfully acquiesced in an exclusion from all places of emolument and trust; an extraordinary instance of magnanimity. When James the Second began to display arbitrary views, dissenters were among the first to take the alarm, regarding with jealousy, even an indulgence when it flowed from a dispensing power. The zeal with which they co-operated in bringing about the revolution, the ardour with which they have always espoused its principles, are too well known to need any proof, and can only be rendered more striking by a contrast with the conduct of the high church party. The latter maintained in its utmost extent the doctrine of passive obedience and non-resistance; were incessantly engaged in intrigues to overturn the revolution, and affirmed the doctrine of divine right to be an ancient and indisputable tenet of the English church.

Whoever wishes to ascertain the existence of those arts, by which they embroiled the reign of King William, may see them displayed at large in Burnet's History of his own Times.

The attachment of dissenters to the house of Hanover, was signalized in a manner too remarkable to be soon forgotten. In the rebellions of fifteen and forty-five, they ventured on a breach of the law, by raising and officering regiments out of their own body; for which the parliament were reduced to the awkward expedient of passing an act of indemnity. This short sketch of their political conduct, as it is sufficient to establish their loyalty beyond suspicion, so may it well augment our surprise at the extreme obloquy and reproach with which they are treated. Mr. Hume a competent judge, if ever there was one, of political principles, and who was far from being partial to dissenters, candidly confesses that to them we are indebted for the preservation of liberty.

The religious opinions of dissenters are so various, that there is perhaps no point in which they are agreed, except in asserting the rights of conscience against all human control and authority. From the time of Queen Elizabeth, under whom they began to make their appearance, their views of religious liberty have gradually extended, commencing at first with a disapprobation of certain rites and ceremonies, the remains of papal superstition. Their total separation from the church did not take place for more than a century, till despairing of seeing it erected on a comprehensive plan, and being moreover persecuted for their difference of sentiment, they were compelled at last, reluctantly to withdraw. Having been thus directed by a train of events into the right path, they pushed their principles to their legitimate consequences, and began to discern the impropriety of all religious establishments whatever, a sentiment in which they are now nearly united. On this very account, however, of all men they are least likely to disturb the peace of society; for they claim no other liberty than what they wish the whole human race to possess, that of deciding on every question where conscience is concerned. It is sufferance they plead for, not establishment; protection, not splendour. A disposition to impose their religion on others cannot be suspected in men, whose distinguishing religious tenet, is the disavowal of all human authority.

Their opinion respecting establishments is founded upon reasons which appear to them weighty and solid. They have remarked, that in the three first and purest ages of religion, the church was a stranger to any alliance with temporal powers; that far from needing their aid christianity never flourished so much as while they were combined to

suppress it ; and that the protection of Constantine though well intended, diminished from its purity, more than it added to its splendour.

The only pretence for uniting christianity with civil government, is the support it yields to the peace and good order of society. But this benefit will be derived from it, at least in as great a degree, without an establishment as with it. Religion, if it have any power, operates on the *conscience* of men. Resting solely on the belief of invisible realities, and having for its object the good and evil of eternity, it can derive no additional weight or solemnity from human sanctions ; but will appear to the most advantage upon hallowed ground, remote from the noise and tumults of worldly policy. Can it be imagined that a dissenter, who believes in divine revelation, does not feel the same moral restraints, as if he had received his religion from the hands of parliament? Human laws may debase christianity, but can never improve it ; and being able to add nothing to its evidence, they can add nothing to its force.

Happy had it been, however, had civil establishments of religion been *useless* only, instead of being productive of the greatest evils. But when christianity is established by law, it is requisite to give the preference to some particular system : and as the magistrate is no better judge of religion than others, the chances are as great of his lending his sanction to the false as to the true. Splendour and emolument must likewise be in some degree attached to the national church : which are a strong inducement to its ministers to defend it, be it ever so remote from the truth. Thus error becomes permanent, and that set of opinions which happens to prevail when the establishment is formed, continues in spite of superior light and improvement, to be handed down without alteration from age to age. Hence the disagreement between the public creed of the church and the private sentiments of its ministers ; an evil growing out of the very nature of an hierarchy, and not likely to be remedied before it brings the clerical character into the utmost contempt. Hence the rapid spread of infidelity in various parts of Europe ; a natural and never-failing consequence of the corrupt alliance between church and state. Wherever we turn our eyes, we shall perceive the depression of religion is in proportion to the elevation of the hierarchy. In France, where the establishment had attained the utmost splendour, piety had utterly decayed ; in England, where the hierarchy is less splendid, more remains of the latter ; and in Scotland, whose national church is one of the poorest in the world, a greater sense of religion appears among the inhabitants, than in either of the former. It must likewise be plain to every observer, that piety

flourishes much more among dissenters, than among the members of any establishment whatever. This progress of things is so natural, that nothing seems wanting in any country, to render the thinking part of the people infidels but a splendid establishment. It will always ultimately debase the clerical character, and perpetuate both in discipline and doctrine, every error and abuse.

Turn a christian society into an established church, and it is no longer a voluntary assembly for the worship of God; it is a powerful corporation, full of such sentiments, and passions, as usually distinguish those bodies; a dread of innovation, an attachment to abuses, a propensity to tyranny and oppression. Hence the convulsions that accompany religious reform, where the truth of the opinions in question is little regarded, amidst the alarm that is felt for the splendour, opulence, and power, which they are the means of supporting. To this alliance of christianity with civil power, it is owing that ecclesiastical history presents a chaos of crimes; and that the progress of religious opinions, which left to itself had been calm and silent, may be traced in blood.

Among the evils attending the alliance of church and state, it is not the least that it begets a notion of their interests having some kind of inseparable though mysterious connexion; so that they who are dissatisfied with the one, must be enemies to the other. Our very language is tinctured with this delusion, in which church and king are blended together with an arrogance that seems copied from Cardinal Wolsey's *Ego et rex meus*, I and my king; as if the establishment were of more consequence than the sovereign who represents the collective majesty of the state. Let the interference of civil power be withdrawn, and the animosity of sects will subside for want of materials to inflame it, nor will any man suspect his neighbour for being of a different religion more than for being of a different complexion from himself. The practice of toleration it is true has much abated the violence of those convulsions which, for more than a century from the beginning of the reformation, shook Europe to its base; but the source and spring of intolerance is by no means exhausted. The steam from that infernal pit will issue through the crevices, until they are filled up with the ruins of all human establishments.

The alliance between church and state is in a *political point of view* extremely suspicious, and much better fitted to the genius of an arbitrary than a free government. To the former it may yield a powerful support; to the latter it must ever prove dangerous. The spiritual submission it exacts is unfavourable to mental vigour, and prepares the



way for a servile acquiescence in the encroachments of civil authority. This is so correspondent with *facts*, that the epithet high church, when applied to politics, is familiarly used in our language to convey the notion of arbitrary maxims of government.

As far as submission to civil magistrates is a branch of moral virtue, christianity will under every form be sure to enforce it; for among the various sects and parties into which its profession is divided, there subsists an entire agreement respecting the moral duties which it prescribes. To select therefore and endow a *particular order* of clergy to teach the duties of submission is useless as a mean to secure the peace of society, though well fitted to produce a slavish subjection. Ministers of that description, considering themselves as allies of the state, yet having no civil department, will be disposed on all occasions to strike in with the current of the court; nor are they likely to confine the obligation to obedience within any just and reasonable bounds. They will insensibly become an army of spiritual janizaries. Depending, as they every where must, upon the sovereign, his prerogative can never be exalted too high for their emolument, nor can any better instruments be contrived for the accomplishment of arbitrary designs. Their compact and united form, composing a chain of various links which hangs suspended from the throne, admirably fits them for conveying that impression that may sooth, inflame, or mislead the people.

These are the evils which in my opinion attach to civil establishments of christianity. They are indeed often mitigated by the virtue of their members, and among the English clergy in particular as splendid examples of virtue and talents might be produced as any which the annals of human nature can afford, but in all our reasonings concerning *men*, we must lay it down as a maxim, that greater part are moulded by circumstances. If we wish to see the *true spirit* of an hierarchy, we have only to attend to the conduct of what is usually termed the high-church party.

While they had sufficient influence with the legislature, they impelled it to persecute; and now that a more enlightened spirit has brought that expedient into disgrace, they turn to the people, and endeavour to inflame their minds by the arts of calumny and detraction. When the dissenters applied for the repeal of the corporation and test-acts, an alarm was spread of the church being in danger, and their claim was defeated. From the late opposition of the Bishops to the repeal of the penal statutes, we learn they have lost the power rather than the inclination to persecute, or they would be happy to abolish the monuments of a spirit

they ceased to approve. The nonsense and absurdity comprised in that part of our laws would move laughter in a company of peasants; but nothing is thought mean or contemptible which is capable of being forged into a weapon of hostility against dissenters. To perpetuate laws which there is no intention to execute, is certainly the way to bring law into contempt; but the truth is, that unwilling to relinquish the right of persecution, though they have no immediate opportunity of exerting it, they retain these statutes as a body in reserve, ready to be brought into the field on the first occasion that shall offer.

The prejudice entertained against us, is not the work of a day, but the accumulation of ages, flowing from the fixed antipathy of a numerous and powerful order of men, distributed through all the classes of society; nor is it easy to conceive to what a pitch popular resentment may be inflamed by artful management and contrivance. Our situation in this respect bears a near resemblance to that of primitive Christians, against whom, though in themselves the most inoffensive of mankind, the malice of the populace was directed, to a still greater degree, by similar arts, and upon similar principles. The clamour of the fanatic rabble, the devout execration of dissenters, will remind the reader of ecclesiastical history of the excesses of pagan ferocity, when the people, instigated by their priests, were wont to exclaim, *christianas ad leones*. There is the less hope of this animosity being allayed, from its having arisen from *permanent causes*. That christianity is a simple institution, unallied to worldly power, that a church is a voluntary society, invested with a right to choose its own officers, and acknowledging no head but Jesus Christ, that ministers are brethren whose emolument should be confined to the voluntary contributions of the people, are maxims drawn from so high an authority, that it may well be apprehended the church is doomed to vanish before them. Under these circumstances, whatever portion of talents or of worth dissenters may possess, serves only to render them more hated, because more formidable. Had they merely revelled with the wanton, and drunk with the drunken; had they been clothed with curses, they might have been honoured and esteemed notwithstanding as true sons of the church; but their dissent is a crime too indelible in the eyes of their enemies for any virtue to alleviate, or any merit to efface.

Till the test business was agitated, however, we were not aware of our labouring under such a weight of prejudice. Confiding in the mildness of the times, and conscious that every trace of resentment was vanished from our own breasts, we fondly imagined those of churchmen

were equally replete with sentiments of generosity and candour. We accordingly ventured on a renewal of our claim as men, and as citizens; but had not proceeded far before we were assailed with the bitterest reproaches. The innocent design of relieving ourselves from a disgraceful proscription, was construed by our enemies into an attack on the church and state. Their opposition was both more violent and more formidable than was expected. They let us see, that however languidly the flame of their devotion may burn, that of resentment and party-spirit, like vestal fire, must never be extinguished in their temples. Calumnies continued to be propagated, till they produced the riots at Birmingham, that ever memorable era in the annals of bigotry and fanaticism, when Europe beheld, with astonishment and regret, the outrage sustained by philosophy in the most enlightened of countries, and in the first of her sons! When we hear such excesses as these justified and applauded, we seem to be falling back apace into the darkness of the middle ages.

The connexion between civil and religious liberty is too intimate to make it surprising, that they who are attached to the one, should be friendly to the other. The dissenters have accordingly seldom failed to lend their support to men, who seemed likely to restore the vigour of a sinking constitution. Parliamentary reform has been cherished by them with an ardour equal to its importance. This part of their character inflames opposition still farther; and affords a pretext to their enemies for overwhelming the cause of liberty under an obnoxious name. The reproach on this head, however, is felt as an honour, when it appears by their conduct, they despair of attacking liberty with success, while the reputation of dissenters remains undiminished. The enmity of the vicious is the test of virtue.

Dissenters are reproached with the appellation of republicans; but the truth of the charge has neither appeared from facts, or been supported by any reasonable evidence. Among them, as among other classes (and in no greater proportion) there are persons to be found, no doubt, who, without any hostility to the present government, prefer in theory a republican to a monarchical form: a point on which the most enlightened men in all ages have entertained very different opinions. In a government like ours, consisting of three simple elements, as this variety of sentiment may naturally be expected to take place, so if any predilection be felt toward one more than another, that partiality seems most commendable which inclines to the republican part. At most it is only the love of liberty to excess. The mixture of monarchy and nobility

is chiefly of use as it gives regularity, order, and stability to popular freedom. Were we, however, without any proof, to admit that dissenters are more tinctured with republican principles than others, it might be considered as the natural effect of the absurd conduct of the legislature. Exposed to pains and penalties, excluded from all offices of trust, proscribed by the spirit of the present reign, menaced and insulted wherever they appear, they must be more than men if they felt no resentment, or were passionately devoted to the ruling powers. To expect affection in return for injury, is to gather where they have not scattered, and reap where they have not sown. The superstition of dissenters is not so abject as to prompt them to worship the constitution through fear. Yet as they have not forgotten the benefits it imparted, and the protection it afforded till of late, they are too much its friends to flatter its defects, or defend its abuses. Their only wish is to see it reformed, and reduced to its original principles.

In recent displays of loyalty they must acknowledge themselves extremely defective. They have never plundered their neighbours to show their attachment to the King; nor has their zeal for religion ever broke out into oaths and execrations. They have not proclaimed their respect for regular government by a breach of the laws; or attempted to maintain tranquillity by riots. These beautiful specimens of loyalty belong to the virtue and moderation of the high-church party alone, with whose character they perfectly correspond.

In a scurrilous paper which has been lately circulated with malignant industry, the dissenters at large, and Dr. Price in particular, are accused, with strange affrontery, of having involved us in the American war; when it is well known they ever stood aloof from that scene of guilt and blood.

Had their remonstrances been regarded, the calamities of that war had never been incurred; but what is of more consequence in the estimation of anonymous scribblers, there would have remained one lie less to swell the catalogue of their falsehoods.

From the joy which dissenters have expressed at the French revolution, it has been most absurdly inferred, that they wish for a similar event in England; without considering that such a conclusion is a libel on the British constitution, as it must proceed on a supposition that our government is as despotic as the ancient monarchy of France. To imagine the feelings must be the same when the objects are so different, shows a most lamentable degree of malignity and folly.

Encompassed as dissenters are by calumny and reproach, they have

still the satisfaction to reflect, that these have usually been the lot of distinguished virtue; and that in the corrupt state of men's interests and passions, the unpopularity of a cause is rather a presumption of its excellence.

They will be still more happy if the frowns of the world should be the means of reviving that spirit of evangelical piety which once distinguished them so highly. Content if they can gain protection, without being so romantic as to aspire to praise; they will continue firm, I doubt not, in those principles which they have hitherto acted on, unseparated by rewards, and unshaken by dangers. From the passions of their enemies, they will appeal to the judgment of posterity;—a more impartial tribunal. Above all, they will calmly await the decision of the Great Judge, before whom both they and their enemies must appear, and the springs and sources of their mutual animosity be laid open; when the clouds of misrepresentation being scattered, it will be seen they are a virtuous and oppressed people, who are treading, though with unequal steps, in the path of those illustrious prophets, apostles, and martyrs, of whom the world was not worthy. In the mean time they are far from envying the popularity and applause which may be acquired in a contrary course; esteeming the reproaches of freedom above the splendours of servitude.



## SECTION VI.

## ON THE CAUSES OF THE PRESENT DISCONTENTS.

WE have arrived, it is a melancholy truth which can no longer be concealed, we have at length arrived at that crisis when nothing but speedy and effectual reform can save us from ruin. An amendment in the representation is wanted, as well to secure the liberty we already possess, as to open the way for the removal of those abuses which pervade every branch of the administration. The accumulation of debt and taxes, to a degree unexampled in any other age or country, has so augmented the influence of the crown, as to destroy the equipoise and balance of the constitution. The original design of the funding system which commenced in the reign of King William, was to give stability to the revolution, by engaging the monied interest to embark on its bottom. It immediately advanced the influence of the crown, which the Whigs then exalted as much as possible, as a countervail to the interest of the pretender.

The mischief of this short-sighted policy cannot be better described than in the language of Bolingbroke. "Few men," says he, "at that time looked forward enough to foresee the consequences of the new constitution of the revenue, that was soon afterwards formed; nor of the method of the funding system that immediately took place: which, absurd as they are, have continued since, till it has become scarce possible to alter them. Few people, I say, foresaw how the multiplication of taxes, and the creation of funds would increase yearly the power of the crown, and bring our liberties, by a natural and necessary progression, into a more real, though less apparent danger, than they were in before the revolution; a due reflection on the experience of other ages and countries, would have pointed out national corruption as the natural and necessary consequence of investing the crown with the management of so vast a revenue; and also, the loss of liberty as the natural and necessary consequence of national corruption\*."

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\* Letter ii. on the Study of History.

If there be any truth in these reflections, how must our apprehensions be heightened by the prodigious augmentation of revenue and debt, since the time of George the First. What a harvest has been reaped from the seeds of corruption then sown!—The revenue is now upwards of seventeen millions, and though nine are employed to pay the interest of the national debt, this is small consolation, when we reflect that that debt is the remnant of wasteful, destructive wars, and that till there is a change in the system, we are continually liable to similar calamities. The multiplied channels through which seventeen millions of money must flow into the treasury, the legion of officers it creates, the patronage its expenditure on the several branches of the administration supplies, have rendered the influence of the crown nearly absolute and decisive. The control of parliament sinks under this pressure into formality: the balance of the different orders becomes a mere theory, which serves to impose upon ignorance and varnish corruption. There is no power in the state that can act as a sufficient antagonist to the silent irresistible force of royal patronage.

The influence of the crown, by means of its revenue, is more dangerous than prerogative, in proportion as corruption operates after a more concealed manner than force. A violent act of prerogative is sensibly felt, and creates an alarm; but it is the nature of corruption to lay apprehension asleep, and to effect its purposes while the forms of liberty remain undisturbed. The first employs force to enslave the people: the second employs the people to enslave themselves. The most determined enemy to freedom can wish for nothing more than the continuance of present abuses. While the semblance of representation can be maintained, while popular delusion can be kept up, he will spare the *extremities* of liberty. He aims at a higher object, that of *striking at the heart*.

A fatal lethargy has long been spreading amongst us, attended, as is natural, with a prevailing disposition both in and out of parliament, to treat plans of reform with contempt. After the accession, place and pension bills were frequently passed by the commons, though rejected by the lords; nothing of that nature is now ever attempted. A standing army in time of peace was a subject of frequent complaint, and is expressly provided against by the bill of rights: it is now become a part of the constitution; for though the nominal direction be placed in parliament, the mutiny bill passes as a matter of course, the forces are never disbanded; the more completely to detach them from the community, barracks are erected; and martial law is established in its utmost sever-

rity. If freedom can survive this expedient, copied from the practice of foreign despots, it will be an instance of unexampled good fortune. Mr. Hume terms it a mortal distemper in the British constitution of which it must *inevitably* perish.

To whatever cause it be owing, it is certain the measures of administration have, during the present reign, leaned strongly towards arbitrary power. The decision on the Middlesex election was a blow aimed at the vitals of the constitution. Before the people had time to recover from their panic, they were plunged into the American war—a war of pride and ambition, and ending in humiliation and disgrace. The spirit of the government is so well understood, that the most violent even of the clergy, are content to drop their animosity, to turn their affections into a new channel, and to devote to the house of Hanover, the flattery and the zeal by which they ruined the race of Stuart. There cannot be a clearer symptom of the decay of liberty than the dread of speculative opinions; which is at present carried to a length in this nation that can scarcely be exceeded. Englishmen were accustomed till of late, to make political speculation the amusement of leisure, and the employment of genius;—they are now taught to fear it more than death. Under the torpid touch of despotism the patriotic spirit has shrunk into a narrow compass; confined to gaze with admiration on the proceedings of parliament, and listen to the oracles of the minister with silence, acquiescence, and pious awe. Abuses are sacred, and the pool of corruption must putrify in peace. Persons who a few years back were clamorous for reform, are making atonement for having been betrayed into any appearance of virtue, by a quick return to their natural character. Is not the kingdom peopled with spies and informers?—Are not inquisitorial tribunals erected in every corner of the land? A stranger who beholding a whole nation filled with alarm, should inquire the cause of the commotion, would be a little surprised on being informed, that instead of any appearance of insurrections, or plots, a pamphlet had only been published. In a government upheld by so immense a revenue, and boasting a constitution declared to be the envy of the world, this abject distrust of its own power, is more than a million lectures on corruptions and abuses. The wisdom of ages, the master-piece of human policy, complete in all its parts, and that needs no reformation, can hardly support itself against a sixpenny pamphlet, devoid it is said, of truth or ability! To require sycophants to blush, is exacting too great a departure from the decorum of their character; but common sense might be expected to remain, after shame is extinguished,



Whoever seriously contemplates the present infatuation of the people, and the character of their leaders will be tempted to predict the speedy downfall of liberty. They cherish to excess the forms, while they repress the spirit of the constitution: they persecute freedom and adorn its sepulchre. When corruption has struck its roots so deep, it may be doubted whether even the liberty of the press be not of more detriment than advantage. The prints which are the common sources of information, are replete with falsehood; virtue is calumniated; and hardly any characters safe from their blast, but those whom infamy cannot sink lower. The greater part, no doubt, are in the pay of ministry, or their adherents. Thus delusion spreads, and the people are instructed to confound anarchy with reform, their friends with their oppressors.

Who can hear without indignant contempt, the ministers annual eulogium on the English constitution. Is the parliament so ignorant then that it needs to go to school every session to learn those elements of political knowledge which every Briton understands? Or is the nature of the British constitution a secret in the breast of the ministry to be opened with the budget. Indisputable excellence wants no encomium; but this flattery is intended to bury in an admiration of its merit, all remembrance of its defects. Whatever remains of beauty or vigour it possesses, are held in no estimation but as they produce an acquiescence in abuses. It is its imperfections only ministers admire; its corruptions that solace them. The topics of their encomium are as absurd as the purpose is infamous. The flourishing state of trade and manufactures is displayed in proof of the unequalled excellence of the British constitution, without reflecting that a temporary decay will support with equal force an opposite conclusion. For if we owe present prosperity to the nature of the government, recent calamities must be traced to the same source, and that constitution which is now affirmed to be the best, must be allowed during the American war to have been the worst. That there is a connexion between commercial prosperity and the nature of a government must be admitted; but its operation is gradual and slow, not felt from year to year, but to be traced by the comparison of one age and country with another. But allowing that our wealth may increase along with the increase of abuses, the nation we hope is not so sordid as to look upon wealth as the supreme good; however well that idea may correspond with the views of a ministry, who seem determined to leave us no other. Freedom, as it animates industry by securing its rewards, opens a path to wealth; but if that wealth be suffered to debase a people, and render them venal and dependent, it will silently conduct them back

again to misery and depression. Rome was never more opulent than on the eve of departing liberty. Her vast wealth was a sediment that remained on the turning of the tide.

It is singular enough, but I hope not ominous, that the flattery bestowed by the poets of antiquity on the ruling powers, resembles in every thing but its elegance, the adulation of modern sycophants. The extent of empire, the improvement of arts, the diffusion of opulence and splendour; are the topics with which Horace adorned the praises of Augustus: but the penetration of Tacitus develops amidst these flattering appearances, the seeds of ruin. The florid bloom but ill concealed that fatal malady which preyed upon the vitals.

Between the period of national honour and complete degeneracy, there is usually an interval of national vanity, during which examples of virtue are recounted and admired without being imitated. The Romans were never more proud of their ancestors than when they ceased to resemble them. From being the freest and most high-spirited people in the world, they suddenly fell into the tamest and most abject submission. Let not the name of Britons, my countrymen, too much elate you; nor ever think yourselves safe while you abate one jot of that holy jealousy by which your liberties have been hitherto secured. The richer the inheritance bequeathed you, the more it merits your care for its preservation. The possession must be continued by the spirit with which it was acquired at first; and as it was gained by vigilance, it will be lost by supineness. A degenerate race repose on the merit of their forefathers; the virtuous create a fund of their own. The former look back upon their ancestors to hide their shame; the latter look forward to posterity to levy a tribute of admiration. In vain will you confide in the forms of a free constitution. Unless you re-animate those forms with fresh vigour, they will be melancholy memorials of what you once were, and haunt you with the shade of departed liberty. A silent stream of corruption poured over the whole land, has tainted every branch of the administration with decay. On your temperate, but manly exertions depend the happiness and freedom of the latest posterity. That Assembly which sits by right of representation, will be little inclined to oppose your will, expressed in a firm, decisive manner. You may be deafened by clamour, misled by sophistry, or weakened by division, but you cannot be despised with impunity. A vindictive ministry may hang the terrors of criminal prosecution over the heads of a few with success; but at their peril will they attempt to intimidate a nation. The trick of as-

sociations, of pretended plots, and silent insurrections, will oppose a feeble barrier to the impression of the popular mind.

The theory of the constitution in the most important particulars is a satire on the practice. The theory provides the responsibility of ministers as a check to the execution of ill designs: but in reality we behold the basest of the tribe retreat from the ruin of their country, loaded with honours and with spoils. Theory tells us the parliament is free and independent; experience will correct the mistake by showing its subservience to the crown. We learn from the first, the legislature is chosen by the unbiassed voice of all who can be supposed to have a will of their own; we learn from the last, the pretended electors are but a handful of the people, who are never less at their own disposal than in the business of election. The theory holds out equal benefits to all, and equal liberty, without any other discrimination, than that of a good and bad subject: its practice brands with proscription and disgrace a numerous class of inhabitants on account of their religion. In theory the several orders of the state are a check on each other; but corruption has oiled the wheels of that machinery, harmonized its motions, and enabled it to bear with united pressure on the happiness of the people.

The principal remedy for the diseases of the state is undoubtedly a reform in parliament; from which, as a central point, inferior improvements may issue; but as I have already treated on that subject at large, I shall not insist on it here. I cannot close this pamphlet, however, without adverting for a moment, to a few of the principal objects which well merit the attention of the legislature.

On abuses in the church, it is to little purpose to expatiate, as they are too numerous to be detailed, and too inveterate to be corrected. Unless it be a maxim that honesty will endanger her existence, her creeds ought in all reason to correspond with the sentiments of her members. The world, it is to be feared, will be little edified by the example of a church, which in compelling its ministers to subscribe opinions that few of them believe, is a discipline of fraud. Nor is the collection of tithes calculated to soften the odium. As a mode of union with the parishioners, they are fruitful of contention; as a restraint on the improvement of land, impolitic and oppressive; as a remnant of the Jewish law, superstitious and absurd. True magnanimity would instruct the clergy to recede from a claim which they will probably be compelled shortly to relinquish. But no reform, it seems, must take place in the church any more than in the state, that its corruptions may keep pace with the progress of its ally.

The condition of the poor in this country calls for compassion and redress. Many of them, through the want of mental improvement, are sunk almost beneath the level of humanity; and their hard-earned pittance is so diminished by taxes, that it is with the utmost difficulty they can nourish their children, and utterly impossible to afford them education. The poor laws enacted for their relief, by confining their industry to a particular spot, and denying a privilege, common to the beasts of the forest, of chusing the place they shall starve in, are an accumulated oppression. Were industry allowed to find its level, were the poor laws abolished, and a small proportion of that expence which swells the tide of corruption, the splendours of the great, and the miseries of war, bestowed on the instruction of the common people, the happy effects would descend to the remotest posterity, and open a prospect which humanity might delight to anticipate. In England we have been adding wheel to wheel, and spring to spring, till we have rendered the machine of government far too complicated; forgetting in the midst of wars, negociations and factious disputes, that the true end of civil polity is the happiness of the people. We have listened to every breeze that moves along the surface of Europe, and descried danger from afar; while deaf to the complaints of the poor, we have beheld ignorance, wretchedness, and barbarity multiply at home, without the smallest regard. Is it possible to behold with patience the numberless tribe of placemen, pensioners and sycophants who are enriched at the public expence; a noxious spawn engendered by the corruptions of government, and nourished by the diseases. Were our immense revenue conducive to the maintenance of royal dignity, or proportioned to the exigencies of the state, it would be borne with pleasure; but at present, it bids fair to be the purchase of our servitude.

Our laws in order to become a proper rule of civil life, much want revision and amendment. They are moreover never promulgated. For this omission Judge Blackstone assigns a very curious reason. "That being enacted by our representatives, every man is supposed in the eye of the law, to be present in the legislature." It would be an improvement on this delegated knowledge of the law, if the penalty were also delegated; and criminals punished by representation. The laws in their present state, are so piled into volumes, encumbered with precedents, and perplexed with intricacies, that they are often rather a snare than a guide, and are a fruitful source of the injustice they are intended to prevent. The expence is as formidable as the penalty: nor is it to any purpose to say they are the same to the poor as to the

rich, while by their delay, expence, and perplexity they are placed on an eminence, which opulence only can ascend. The commendation bestowed by foreigners so liberally on English jurisprudence was never extended to our municipal code; which is confused, perplexed, and sanguinary in the extreme; but to the trial by jury, and the dignified impartiality which marks the conduct of judges. For want of gradual improvements to enable it to keep pace with the progress of society, the most useful operations of law are clouded by fictions\*.

These are a few only of the maladies which indicate a bad habit of the political body: nor can a true estimate be made of our situation so much by adverting to *particular evils*, as by an attention to the general aspect of affairs. The present crisis, in my apprehension, is the fullest of terror and of danger, we have ever experienced. In the extension of excise laws, in the erection of barracks, in the determined adherence to abuses, displayed by parliament, in the desertion of pretended patriots, the spread of arbitrary principles, the tame subdued spirit of the nation, we behold the seeds of political ruin quickening into life. The *securities* of liberty, as was long since remarked by Dr. Price, have given way; and what remains is little more than an *indulgence* which cannot continue long when it ceases to be cherished in the affections of the people. The little of public virtue that still subsists, is no match for disciplined armies of corruption. The people are perishing for lack of knowledge. Disquieted by imaginary alarms, insensible to real danger that awaits them, they are taught to court that servitude, which will be a source of misery to themselves, and to posterity.

Deplorable as the prospect is, a precarious hope may be founded, perhaps, on the magnitude of abuses. There is, it has often been remarked an ultimate point both of elevation, and depression in the affairs of Kingdoms, to which when they arrive they begin to turn of their own accord, and to fall back into their ancient channels. We are certainly entitled to all the comfort that consideration is capable of affording. Taxation can hardly be more oppressive, representation more venal and inadequate, the influence of the people more extinguished, or falsehood and deception more triumphant than they are at present.

There is also another circumstance attending the present crisis, which if we are wise enough to improve it, may be of the utmost advantage. Of the numberless political parties which have hitherto distracted our attention, and divided our attachment, there now remain but two; the

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\* See an excellent publication on this subject entitled *Juridical Essays*, by Mr. Randall.

patrons of corruption, and the friends of liberty; they who are waiting for the disorders of government to ripen into arbitrary power; and they who are anxious to bring back the constitution to its original principles. The colours by which they are distinguished are too bold and strong to be ever confounded, or if there could be any possible embarrassment in the choice, the ministry have condescended to remove that obscurity, by pursuing an interest not only distinct from, but directly opposed to that of the people. The clamour of Whigs and Tories hath happily subsided; and pretended patriots are at length so kind as to unmask before the people, and stand forth in their native character, the objects of just detestation. We cannot wish for better lessons of public virtue than is furnished by the contrast of their vices.

On the present war, until the views of the ministry are more unfolded, it behoves me to speak with tenderness and reserve. If nothing more be intended than the maintenance of national honour, and the faith of treaties, it will merit the warmest support of every well-wisher to his country. But if the re-establishment of the ancient government of France be any part of the object; if it be a war with freedom, a confederacy of Kings against the rights of man; it will be the last humiliation and disgrace that can be inflicted on Great Britain; and were there any truth in tales of incantation, to behold us engaged in such a cause, were enough to disturb the repose of our ancestors, and move the ashes of the dead! The steps preparatory to the war, the inflamed passions, and the character of our allies, afford an ill omen of the temper with which it will be conducted.

The pretence respecting the Netherlands certainly entitles the ministry to the praise of consistence. It is quite of a piece with the candour and sincerity which affirmed the balance of Europe to be destroyed by the seizure of Oczakow, but denied it was endangered by the conquest of Poland, and the invasion of France.

The French revolution we cannot but remember was from the first an object of jealousy to ministers. There needed not the late unhappy excesses, the massacres of September, and the execution of Louis, to excite or display their hostility. It appeared in the insult and derision of their retainers from the highest to the lowest. If they meant fairly to the interests of general liberty, why that uneasiness at the fall of despotism in a neighbouring country? Why render parliament a theatre of abuse on a revolution whose commencement was distinguished by unexampled mildness and tranquillity? But this part of their conduct was likewise consistent. Intent on the destruction of liberty in one

country, they were disconcerted at seeing it revive in another. Before they ventured to extinguish the dying taper, they waited for the surrounding scene to be shut up in darkness. I am perfectly aware that to speak in terms of decency and respect of the French revolution, is to incur in the prevailing disposition of the times the last of infamies. If we dare to rejoice at the emancipation of a great people from thralldom, it must be at the peril of the foulest imputations that imagination can invent, or malignity apply. In contempt, however, of these calumnies, I am free to confess, the French revolution has always appeared to me, and does still appear, the most splendid event recorded in the annals of history. The friends of liberty contemplate the crimes and disorders with which it has been stained\* with the deepest regret; but they still hope they will in the result be more than compensated, by the grandeur of its principles, and the beneficence of its effects. Instead of wishing for a similar event in England, they are intent on reform chiefly to avoid that necessity. Under every *form* of government they know how to recognize the divine aspect of freedom, and without it can be satisfied with none. The evils of anarchy and of despotism are two extremes which they equally dread: and between which no middle path can be found, but that of effectual reform. To avert the calamities that await us on either side, the streams of corruption must be drained off, the independence of parliament restored, the ambition of aristocracy repressed, and the majesty of the people lift itself up. It is possible to retreat from the brink of a precipice, but woe to that nation which sleep upon it!

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\* The execution of the King was certainly a most cruel and unjustifiable transaction, alike repugnant to law, order, and humanity. Without being conducive to any views of policy whatever, it seems to have been merely a gratification of the most detestable passions. The treatment of the beautiful and unfortunate Queen and of the royal family is barbarous and unmanly in the extreme. When we look at their sufferings humanity weeps, and pity forgets their crimes.

FINIS.





